The New-York Times.

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LATEST INTELLIGENCE.

By Telegraph to the New-York Times.

Magnetic Telegraph Co.'s Office—No. 19 Wall-st., and 821 Broadway.

FROM WASHINGTON.

Definitive Confirmation of the Naval Nominations—The Admission of Minnesota—Subsistence for the Utah Army, &c.

Special Dispatch to the New-York Times.

WASHINGTON, Wednesday, Jan. 20.

The Senate, to-day, voted down the pending motions to reconsider the confirmations of Naval officers, recommended by the Courts of Inquiry, and thus definitely confirmed every such nomination which was pending.

The Territorial Committee will vote on the admission of Minnesota to-morrow. S.

[FROM THE REPORTERS FOR THE ASSOCIATED PRESS.]

WASHINGTON, Wednesday, Jan. 20.

The War Department has asked Congress for an appropriation of $1,294,000, to pay for four millions eight hundred and eighty thousand rations, for the subsistence of the Utah expedition for twenty months from the 1st July next—that amount being required for 5,606 soldiers, 200 women, 200 servants, and 2,694 employes—aggregate, 8,000.

The Sergeant-at-Arms of the House has dispatched Deputies for the witnesses to appear before the several Special Investigating Committees.

The Senate in Executive Session to-day confirmed the remainder of the Naval nominations made, pursuant to the recommendations of the Naval Courts of Inquiry.

XXXVth CONGRESS.....First Session.

SENATE...WASHINGTON, Wednesday, Jan. 20.

Mr. IVERSON introduced a bill to increase the efficiency of the Army and Marine corps, by retiring disabled officers. Referred to the Committee on Military Affairs.

Mr. IVERSON gave notice of his intention to introduce a bill to change and regulate the mode of appointing cadets to the Military Academy, and to modify the laws relative to that establishment.

Mr. HALE resumed his remarks from Monday, and commented on two of the positions held by the Superior Court in the celebrated Dred Scott case. First, the Court affirm the right of property in slaves is of the same nature as the right to all other property. Secondly, that the right to hold this description of property and to traffic in slaves at the time of the American Revolution and adoption of the Federal Constitution was so universally recognized and acknowledged by both England and this country that no man ever thought of disputing it. He took issue on both these points. The legal principle was unsound and unsupported. What purported to be the statement of a fact was equally unsupported by both truth and history. The first proposition was more distinctly and fully expressed in the Lecompton Constitution—where it declared that "the right of property is before and is higher than any constitutional sanction, and that the right of the owner to the slave and to such slave and its increase is the same, and is as inviolable as the right of the owner to any other property whatever." He had a higher respect for the Lecompton Convention, than for the Supreme Court, because the Convention had been more explicit than the Court in stating just what they meant. He did not deny that in States tolerating Slavery, that there was legal property in slaves. In some of the Free States there was a qualified property in human beings. In New-Hampshire criminals were sent to the Penitentiary for the public good, and anybody might contract with the Warden having the custody of these prisoners for the use of their labor. The laws recognize his right to the labor of the convicts, and he can take them where he pleases within the jurisdiction of the State—but if he should cross Connecticut River and undertake to make them quarry marble in the Green Mountains of Vermont, his right to their labor would immediately cease. Precisely similar was the right of the slaveholder to the labor of his slaves. It is a legal right where Slavery exists by law, and nowhere else. The moment the slave goes beyond the jurisdiction which imposes the servitude, that moment he is free. There was an essential difference between the right to the labor of human beings and the right to property in inanimate things and in the brute creation. A man may go all over the world with a horse, and everywhere, both among civilized and savage nations, his right to the ownership will be respected. This right does not depend upon the existence of statute law, but because by the universal consent of mankind, a horse is the subject of property. When the horse was created he was made to be a property, and man was made to own him. The right to do so dates back to the earliest period of recorded time. When God created the earth and gave it to man to cultivate, and filled the land with cattle and the sea with fish, and the air with fowls. God also gave man dominion over the cattle and the fish and the fowls; but He never gave him dominion over his fellow man. He reserved his last and greatest work for his own peculiar worship. This distinction had been recognized by every writer who ever wrote on the subject, and by no States more clearly and decisively than Virginia, Maryland, Louisiana, and other Slaveholding States. It had been also recognized by the unanimous concurrence of every member of the Supreme Court of the United States, and in support of his argument he read extracts from various authorities.

During his remarks, Mr. HALE declared that, if the attempt be persisted in to force the Lecompton Constitution on the people of Kansas, he hoped that they would fight, and resist even unto blood and death.

Mr. HARLAN obtained the floor.

The further consideration of the Kansas question was postponed until Monday next.

The Senate then adjourned.

HOUSE OF REPRESENTATIVES.

WASHINGTON, Wednesday, Jan. 20.

Among other bills introduced was one by Mr. SCOTT, providing for the better security of board vessels navigating the ocean, propelled in whole or in part by steam. He stated the bill had for its basis the memorial of the Underwriters of New-York.

Referred to the Committee on Commerce.

Mr. MCKIBBEN introduced a bill granting alternate sections of land to California for railroads of that State.

Mr. DAVIS, of Massachusetts, introduced the French Spoliation Bill.

The Speaker laid before the House the resolves of the Nebraska Legislative Assembly, stating that a very large majority were legal voters of the Territory, who voted for Mr. FERGUSON, whose seat as delegate was contested by Mr. CHAPMAN, and repelling certain aspersions that had been cast on Mr. FERGUSON's character.

The following compose the Committee to which is referred to bill to divide the Clerks and Messengers of the Departments at Washington among the States and Territories *pro rata*:

Messrs. ROBERT SMITH, SEWARD, KNIGHT, PENDLETON, GILMAN, CLEMENS and ANDERSON.

The House went into Committee of the Whole on the President's Annual Message.

A debate took place on the proposition to refer so much of the Message as relates to the Pacific Railroad to a Select Committee, during which

Mr. MAYNARD said such a road was recommended in the Cincinnati Platform, and in the Inaugural and annual Message of the President. It was as much a part of the programme of the Administration as the acquisition of Cuba and the Protectorate of Central America. [Laughter.]

Mr. GREENWOOD—Such a road would be constitutional and proper. Congress had talked enough about the subject, and ought now to act. He had a preference for one route, but preferred to vote for almost any other, rather than have none at all.

Mr. BENNETT, of New-York, offered a substitute, proposing to refer the subject to a Committee of thirteen, designating the number respectively to be appointed from each section of the Union, according to general representation. He remarked that such a Committee would not be likely to favor the executive or certain leading gentlemen's plans, but would make a fair report. He did not believe a Southern route practicable. New-York is more interested in the route than the whole South, and three-fourths of the business with California is at the north of Virginia.

Mr. LOVEJOY said that as there seemed to be a desire to refer this matter, he preferred that it should go to the Committee on Roads and Canals, the Chairman having nothing else to nurse unless the House gave him this. [Laughter.]

[NOTE BY REPORTER—Mr. JONES, of Tennessee, the Chairman, is a bachelor.]

Mr. LOVEJOY observed that so far as he was concerned he was opposed to a Pacific Railroad, whether recommended by the President or by anybody else.

Mr. HASKIN, of Illinois, said that he had an objection to the source (meaning Mr. BENNETT of New-York) whence came this proposition to divide the Union into patchwork. He supposed the gentleman from Virginia (Mr. LETCHER) would not be read out of the party for opposing the President's views upon this subject, because he was not an aspirant for the Presidency. If he were, the Washington Union and other papers would be attacking him.

Mr. WASHBURN, of Illinois, was for a Pacific Railroad, earnestly, sincerely, and in good faith. He did not care from what side the proposition came, nor to whom the credit would be attributed.

Mr. HASKIN—Will you vote for the Southern route?

Mr. WASHBURN—That will depend upon circumstances, but as far as I am concerned, I will vote for no route unless it is fixed by law. I voted for the Wagon route to the Pacific, but instead of the route being left to the contractors, it was selected by the Administration.

Mr. PARKER earnestly appealed to gentlemen to cease talking and vote.

Mr. FLORENCE advocated the sending of the subject to the Committee on Roads and Canals. Because the Chairman did not believe in the constitutional power to construct railroads, it did not follow as a consequence that a majority of the members of that Committee believed with him.

Mr. MILLSON confessed to so much bluntness of intellect as not to see in what part of the Constitution such power is conferred. He wanted a Select Committee to report the fact for general information.

Mr. SEWARD thought the subject ought to be referred to the Committee on Revisal and Unfinished Business, for it had been here ever since he had been in Congress. Gentlemen seemed to differ—therefore the subject ought to be reviewed and revised. He knew of no better reference.

Mr. DAVIS, of Maryland, for Mr. MILLSON's information, said the power to construct the road was found in the Constitution, under several clauses, and quoted JEFFERSON, MADISON and JOHN QUINCY ADAMS as signing bills for internal improvements.

Mr. LETCHER said this subject should be considered not only as to its practicability, but its constitutionality. The Constitution granted no power to build a Railroad. If Democratic doctrine prevails, there is an end of the matter. He congratulated the Democracy that the President has recommended a policy which the party has earnestly resisted for the last twenty-five years.

The Committee of the Whole, after rejecting all the pending resolutions, adopted one that so much of the President's Message as relates to the Pacific Railroad be referred to a select Committee of fifteen, with power to report by bill or otherwise.

The Committee rose, when the resolution heretofore considered, referring the various branches of the Message to the appropriate Committees, was concurred in,—the one relative to the Pacific Railroad by 130 against 60.

The House then adjourned.

The Proposed Location of the Pacific Railroad—Increase of the Army—The Return of Commodore Paulding—The Late Doorkeeper of the House, &c.

From Our Own Correspondent.

WASHINGTON, Tuesday, Jan. 19, 1858.

It will be noticed that the Pacific Railroad bill, reported to-day by Dr. GWIN, from the Senate's Select Committee on that subject, looks to the location of the road along the great Central Emigrant route. If this bill becomes a law, the Central is the route sure to be selected, unless it should prove to present insurmountable physical difficulties, which is not anticipated. I understand that the President prefers a different plan, in some respects, which may result in some collision in Congress, but is not likely to jeopardize the measure. Mr. BUCHANAN is in favor of a direct appropriation of say ten millions of dollars, and liberal grants of land, for the construction of a military (rail-) road through the Territories alone, to connect the States of the Atlantic with California. If this plan should be adopted, it would inevitably make the road over the Southern route *vid* El Paso, on the Western boundary of Texas, and the mouth of the Gila River—*for that is the point at which California comes nearer to an Atlantic State than at any other.* For this reason it will be earnestly advocated by Southern men,—and as stoutly opposed throughout the North and West. I should judge that the bill reported by the Committee will pass, without material modification.

In connection with this subject, it may be appropriate to state that Mr. BRODERICK, of California, proposes the introduction of a bill authorizing the establishment of military posts one hundred miles apart all the way across the plains and mountains, *vid* the California Emigrant route. This protection to the overland route is exceedingly desirable, and would give an impetus to California immigration of vast importance to that State. Around these posts, too, little villages would spring up, and the line in a few years would thus become settled, and the railroad, magnetic telegraph, and travelers would find abundant protection thenceforth even without military aid. Senator BRODERICK will deserve well of his constituents if he takes up this idea and presses it towards consummation with the energy and strong will which mark his character.

The proposition to add four or five additional new regiments to the regular army, does not seem to gain strength in Congress. So far as can be judged from superficial indications, there is a settled hostility toward any increase of the army in that way. I confess it seems to me that this hostility is unwise. If we had any occasion, ten years ago, for a regular army of seven thousand men, we need one nearly twice as large now, simply because we have added so largely to our inhabited borders, and traveled territory. Any man who has had occasion to watch the movements of the army of late years, cannot have failed to notice its utter inadequacy to the swollen necessities of the country, even when there are no troops in Kansas beyond those absolutely essential to protection from external enemies. In Texas and New-Mexico, for instance, our troops are from sheer necessity split up into such small fragments, that scarcely a garrison can leave in post men enough to protect it, and yet send out a force sufficient to check and punish Indian depredations committed just in sight; and army officers, on distant and arduous duty, are, because of the paucity of their present numbers, kept in active service much more continually than is reasonable or desirable.

The increase poposed is a necessity independent of the present emergency in Utah—for which, the very general opinion in Congress seems to be that a volunteer force is the most suitable. It may be that discussion will convince Congress of the propriety of increasing the regular army in the mode proposed; but the present indications are that whatever increase is authorized will be by adding to the number of men in the companies already organized. If additional regiments shall be found necessary for service in Utah, the disposition certainly is to authorize volunteers merely, for that special service. The objection made to this by the Administration is that volunteers cost much more than regular troops. That cannot be, if they are mustered into the service of the United States under regulations stringent as those governing regulars. But even if they do cost more, the little increase of money expense is nothing compared with the saving of blood which would result from the speedy ending of the Utah war by the employment of California volunteers, whose superior energy and promptness would make one regiment of them equal to two composed of such "food for powder" as constitutes a very large proportion of our regular army.

Why would it not be a good plan to enlist volunteers in California to serve in the Utah campaign,—with a condition that when it was ended, as many of those who are honorably discharged as may choose to do so, shall be mustered into the service of the United States as military colonists, for two, three, four or five years, to settle in the beautiful valley of Salt Lake, and all along the emigrant route across the Plains? To these, liberal grants of land might be made, with supplies of ammunition, and soldiers' rations, with the privilege of commutation. No service would be required, except to keep up military organization by occasional drill service, and by the communication of each settlement with its neighbors on either side once every two or three days, according to the distance, except in the event of Indian outrages, or any other event requiring special military service, in which event every colonist should be at the command of the officers scattered along at the military Posts which Senator BRODERICK proposes to have established. By the adoption of some such plan as this we should soon become as familiar with the great interior territory of our Continent, as we are with the border, and a chain of healthy settlements would spring up all the way from the Missouri River to the Pacific Ocean. These suggestions are a little crude, perhaps, but Mr. BRODERICK, or any other gentleman of his experience and ability, can readily give them proper shape and form.

I was not wrong in anticipating the return of Commodore PAULDING in his own ship, and that the necessity of relieving him from the command of the Home Squadron would be obviated by a departmental order sending the cruise of the *Wabash*. The *Colorado* has been put in commission at Norfolk, and is now preparing to take post in the Home Squadron as the flagship. I should not be surprised if the *Wabash* is sent to sea again ere long, to carry Capt. T. J. PAGE and the officers and men of the Paraguay Exploring Expedition out to their destination. Will it also carry out a special Minister to Paraguay? Not improbably.

Still another Committee of investigation! This time it is ordered for the purpose of examining the accounts and conduct of Capt. DARLING, late Doorkeeper of the House of Representatives. The wonder is that the party referred to has escaped this ordeal so long. Unless public rumor, in very substantial form, shall prove to be very far out of the way, the revelations of this investigation will fully vindicate the strictures of your correspondent in regard to that personage nearly two years ago, and on more than one occasion since.

A brilliant and fashionable audience graced the Washington Theatre last evening to give greeting to DION BOURCICAULT and "AGNES ROBERTSON." BOURCICAULT gave us *Sir Charles Coldstream*, in "Used Up," and "AGNES" bewitched her audience with "Milly, the Maid with the Milking Pail." A more exquisite performance, in every respect, would be looked for in vain. Actors, costume, scenery and all were surpassingly fine. Already the capacity of STUART and BOURCICAULT's establishment here is tried to the utmost; and so it is sure to be so long as they afford such elegant entertainments.

M. B. BRADY, the celebrated New-York photographist, has returned hither, and is fitting up a magnificent suite of rooms on Pennsylvania-avenue, for the prosecution of his art. He will secure many valuable contributions here, doubtless, for his New York establishment. S.

Congressional Grants to Western Railroads.

From an Occasional Correspondent.

WASHINGTON, Monday, Jan. 18, 1858.

There has been a great deal said of the means used to secure from Congress grants of land to railroads in the Western States. The records of the Supreme Court of the State of New-York, for the City and County of New-York, present a case which has recently been brought before that Court, in which disclosures are made that bear most strikingly upon one of those land-grants, and furnish a flood of light by which what was theretofore in mystery may be understood, and which the present Congress and the public should possess. The case referred to is that of an individual who has lately commenced a prosecution, by suit at law, against the Directors of the Chicago, St. Paul and Fond du Lac Railroad Company, to enforce the payment of three of the first mortgage bonds of that Company. Marvelous enough, a defence has been interposed which does a wondrous tale unfold concerning the means and appliances by which the grant of land to Wisconsin, designed to inure to the benefit of the road named, was obtained. That defence, a pleading in the action in the form of an answer to the complaint therein, sets forth "that on or about the 14th day of May, in the year 1856, an application was pending before the Congress of the United States of America for a grant of land, in alternate sections, to the State of Wisconsin," &c., "which application the said Company favored in the hope of having said lands ceded by the State of Wisconsin to the said Company," &c., "and that *the Bonds in the said complaint mentioned*, with the coupons attached thereto, were delivered" to an individual named, "*to be used and disposed of in his discretion, if said grant should be obtained.*"

Now, in this statement, admission or confession three things, at least, are clearly manifested, which, prior to the revelation so made, were kept very studiously concealed:

1. That the Chicago, St. Paul and Fond du Lac Railroad Company was represented near the last Congress, by a contingently purchased influence.

2. That the means of the said Company were put up, in a large amount, to secure the passage of the Wisconsin Land Bill through that Congress, and, by the condition annexed in the shape of a contingency, in a manner calculated to render them most effective for the accomplishment of the desired object; and,

3. That the particular means which were so employed by the said Company were its first mortgage Bonds, with coupons attached, which, the history of the time shows, were then deemed to be of *par* value, with the probability of being made to yield a handsome premium, and therefore were equal to, if not actually better than, hard money.

These disclosures are wonderfully illuminating, not only as it regards the particular grant in question, but indirectly in respect to other land-grants which were made by the last Congress, designed to inure *to the benefit of certain railroads or railroad Companies.* They are of exceeding value to the present *Congress in the way of warning, and it is hoped will* be so far heeded as to impell to the most rigid scrutiny all applications that may come before it asking lands ostensibly for great public objects, either of a State or national character, even if they do not lead to a revision of some grants heretofore made. W.

A View of Public Affairs, in which President Buchanan will be Interested.

From the Charleston Mercury.

WASHINGTON, Sunday, Jan. 10, 1858.

There is a general rolling over of things in Washington, and it is difficult to see the light. The Kansas, Utah and Nicaragua imbroglios are condensed together, and they are producing a general chaos. The filibuster and Utah matters, however, may be put aside for the moment, except so far as they become entangled in their active influences with Kansas. The great question now pressing upon public men here is the admission of Kansas under the Lecompton Constitution. The struggle upon this point will be bitter and desperate. *It is clear that Kansas can only be admitted through the active and determined support of the Administration, and but for this the President would have been more roughly handled in the late debate, both in the House and Senate, upon the connection of the Administration with the unlawful capture of General Walker upon the soil of Nicaragua by Commodore Paulding.* The Administration is now weak, and the Southern men are very anxious to strengthen it, *so as to make its efforts in behalf of the admission of Kansas, under the Lecompton Constitution, more influential.* This will account for their ignoring other issues in which they differ from the President.

The position of things is strange. Mr. BUCHANAN has been fighting against the South all Summer in resolute and desperate efforts to make Kansas a Free State, and Judge DOUGLAS has been siding with the South in insisting upon the legality of the acts of the Territorial Legislature, and upon the sovereignty of the Convention. And now, what a change of position between them! Mr. BUCHANAN is with the South, and Judge DOUGLAS is with the Black Republicans. Both have changed. Mr. BUCHANAN did, last Summer, write a letter to Governor WALKER, in which he said to him, "*You must use all your influence to have the Constitution referred back to the people for ratification or rejection; upon this, you and I must stand or fall.*" This letter will soon be published. Judge DOUGLAS, last Summer, in his speech at Springfield, urged the sovereignty of the Convention, and its right to determine absolutely upon the Constitution of Kansas. His change is explicable. *Freesoilism is omnipotent at the North, and the admission of Kansas with a Pro-Slavery Constitution will be the destruction of the Democratic Party.* As one of its leaders, he will fall with it. To prevent this, he is struggling to abolitionize the Democratic Party. He is influenced by still another consideration. He has been a candidate for the Presidency since 1848. The North has had two Presidents in succession, and the South will not tolerate the nomination of the next one from that section by the Democracy. This postpones Judge DOUGLAS for seven years longer. A great cycle this, in the life of a man now-a-days. DOUGLAS, then, is for change, confusion, anarchy, in order to advance himself. He is now appealing to the "Free North," and is preparing the way for a sectional fight. *It will come and let it come.* But DOUGLAS is gone. If the honor-string was around his neck, and the sack prepared for him to voyage down the waters of the Hellespont, he would not be more doubly gone. The Black Republicans will not put their standard in his hands—the South will not touch him—and the Administration will fight him. He will be defeated in Illinois for reelection to the Senate. Kansas will be admitted. *The next House of Representatives will be a Black Republican*, and in 1860 we shall see—what? Things are drifting to confusion. The defection of DOUGLAS has done more to shake the confidence of the South in Northern men, than everything that has happened before. If he proved false, whom can you trust? The *Mercury* is right. Our failure to sustain our rights, has prostrated our friends at the North.

Important from Kansas.

RESULT OF THE ELECTION—A PRO-SLAVERY GOVERNOR, AND A FREE-STATE CONGRESSMAN AND LEGISLATURE—THE VOTE ON THE CONSTITUTION NOT COUNTED.

ST. LOUIS, Wednesday, Jan. 20.

The *Democrat* has just received Kansas letters to the 14th inst., stating that the returns of the elections on the 21st of December and 4th of January were opened by General CALHOUN on the 12th inst. in the presence of General DENVER, the President of the Council, and the Speaker of the House.

The vote on the 21st of December, for the Constitution with Slavery was 6,062, and for the Constitution without Slavery 536. Three thousand five hundred and sixty-two of these votes are said to have been polled in precincts containing not over a thousand inhabitants.

For Governor the vote was:

SMITH, Free-State.....8,256
MARSHALL, Democrat.....5,530

FOR CONGRESS.

PARROT, Free-State, received.....6,623
CARR, Democrat.....5,566

To the Senate 13 Free-State men and 6 Democrats are elected, and to the House 29 Free-State men and 14 Democrats.

The vote on the Constitution has not yet been counted.

Gen. CALHOUN says he shall not close the count now, but receive what other returns may be presented, although the eight days given for making the returns have expired.

The Territorial Legislature has provided a Commission to examine into the election frauds, and will provide for another Constitutional Convention.

The Topeka Legislature will enact a code of laws to be used in case of emergency, but which will not conflict with the Territorial authority.

NEW-YORK LEGISLATURE.

SENATE....ALBANY, Wednesday, Jan. 20.

NOTICES OF BILLS.

By Mr. SLOAN, to amend the charter of the Citizens' Insurance Company. Also, to repeal the usury laws. Also, incorporating the Long Island College Hospital.

By Mr. WILLIAMS, to amend the statute relative to obtaining money under false pretences. Also, to amend the law relative to State Prisons.

By Mr. BRANDRETH, restraining taxation within certain limits.

BILLS INTRODUCED.

By Mr. MATHER, allowing aliens to hold and convey real estate in the same manner as native-born citizens.

By Mr. NOXON, for securing the better protection of personal liberty by due process of law.

Mr. SLOAN's concurrent resolution, that the Senate nominate the Regent of the University on Tuesday, Feb. 6, was laid over.

The joint resolutions that the late State Engineer be allowed till March next to complete the railroad statistics, were carried.

The Governor's Message submitting the report and map from Professor HAGEN, of the Coast Survey of the Harbor of New-York, recommending an additional appropriation of $4,100 to complete the same, was received. Also a report from the Pilot Commissioners concerning their doings in the past year, and containing recommendations for laws as to the dredging slips, building of wharves, &c.]

The bill relative to assessments for local improvements in Brooklyn was ordered to a third reading.

The Senate then went into Executive session.

ASSEMBLY....ALBANY, Wednesday, Jan. 20.

The motion pending being to elect a Speaker by plurality, Mr. ADAMS took the floor, and in a temperate speech objected to the resolution,—first, because it is unfair to the parties in a minority separately, but a majority of the House when combined; second, because it is unprecedented here, and in contravention of the usages of this House. He did not believe Messrs. BARNES and STRUBEN spoke for the masses of the Republican Party when they denounced and repudiated the Americans. There had been a union in his district, and the Republicans had held soft words and honeyed phrases to the Americans, before the election; and he could not believe that they would so soon prove false to all their pledges and professions.

Mr. ESTY spoke in favor of the resolutions against union with the Americans.

Mr. LAW opposed the resolution, and justified the course of the Americans, *on the ground that they had* offered every concession for the purpose of union on *organization, not alone by the election of part of* their own candidates, but also by an equitable division between the Democrats and the Republicans.

Mr. BARNES justified the position he held yesterday.

Mr. MOORE, of New-York, made a speech, in which he declared that the Democrats could never help to raise to power the party which had oppressed Democrats and outraged democratic principles last Winter.

The debate was continued by several others; and on a motion to lay the plurality rule on the table it was adopted.

After tabling the resolution to elect by a plurality vote, an attempt was made to take a vote for Speaker.

Mr. MCNEIL offered a compromise resolution for electing all Democrats and Republicans—tabled.

The House then adjourned till to-morrow.

Attempted Compromise between the Republicans and Americans.

ALBANY, Wednesday, Jan. 20.

It is understood that the Republicans have entertained a proposition from the Americans to withdraw Mr. RICHARDSON and take up another candidate for Clerk acceptable to the Americans. The Republicans are now in caucus, and the proposition excites warm debate. The proceedings are of course private.

The State Military Association.

ALBANY, Wednesday, Jan. 20.

During the session of the State Military Association to-day an ineffectual effort was made by Col. KING for the passage of a resolution providing for the appointment of a Committee to amend the military laws of the State.

A resolution was unanimously adopted against any change in uniforms being allowed, except to the regulation uniform.

A resolution was adopted, that no officer owing dues be allowed to join the Association till all arrears are paid.

A resolution, seeking the disbandment of independent Companies, was tabled by a large vote.

The constitution was altered so as to make Albany the permanent place for holding the annual meetings of the Association.

The report of General SWAN, taking the ground that the Charters of independent companies were destroyed by the militia law of 1847, was adopted.

Major H. S. LANSING, of the 1st Brigade, was elected President for the ensuing year; Col. G. W. PRATT, of the 20th Regiment, Recording Secretary; Col. LADUE, Corresponding Secretary, and Col. DUNTRA, 1st Vice-President.

The military display to-day was very fine. The Burgesses Corps, of this city, the Troy Citizens' Corps, and the Utica Citizens' Corps—all independent companies—made a splendid show, particularly the Burgesses, and had an effect on the action of the Association respecting the disbanding resolutions.

The New-York Company of the Tiro Regiment,

Republicans will not put their standard in his hands—the South will not touch him—and the Administration will fight him. He will be defeated in Illinois for reelection to the Senate. Kansas will be admitted. *The next House of Representatives will be a Black Republican*, and in 1860 we shall see—what? Things are drifting to confusion. The defection of DOUGLAS has done more to shake the confidence of the South in Northern men, than everything that has happened before. If he proved false, whom can you trust? The *Mercury* is right. Our failure to sustain our rights, has prostrated our friends at the North.

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By Mr. SLOAN, to amend the charter of the Citizens' Insurance Company. Also, to repeal the usury laws. Also, incorporating the Long Island College Hospital.

By Mr. WILLIAMS, to amend the statute relative to obtaining money under false pretences. Also, to amend the law relative to State Prisons.

By Mr. BRANDRETH, restraining taxation within certain limits.

BILLS INTRODUCED.

By Mr. MATHER, allowing aliens to hold and convey real estate in the same manner as native-born citizens.

By Mr. NOXON, for securing the better protection of personal liberty by due process of law.

Mr. SLOAN's concurrent resolution, that the Senate nominate the Regent of the University on Tuesday, Feb. 6, was laid over.

The joint resolutions that the late State Engineer be allowed till March next to complete the railroad statistics, were carried.

The Governor's Message submitting the report and map from Professor HAGEN, of the Coast Survey of the Harbor of New-York, recommending an additional appropriation of $4,100 to complete the same, was received. Also a report from the Pilot Commissioners concerning their doings in the past year, and containing recommendations for laws as to the dredging slips, building of wharves, &c.]

The bill relative to assessments for local improvements in Brooklyn was ordered to a third reading.

The Senate then went into Executive session.

ASSEMBLY....ALBANY, Wednesday, Jan. 20.

The motion pending being to elect a Speaker by plurality, Mr. ADAMS took the floor, and in a temperate speech objected to the resolution,—first, because it is unfair to the parties in a minority separately, but a majority of the House when combined; second, because it is unprecedented here, and in contravention of the usages of this House. He did not believe Messrs. BARNES and STRUBEN spoke for the masses of the Republican Party when they denounced and repudiated the Americans. There had been a union in his district, and the Republicans had held soft words and honeyed phrases to the Americans, before the election; and he could not believe that they would so soon prove false to all their pledges and professions.

Mr. ESTY spoke in favor of the resolutions against union with the Americans.

Mr. LAW opposed the resolution, and justified the course of the Americans, *on the ground that they had* offered every concession for the purpose of union on *organization, not alone by the election of part of* their own candidates, but also by an equitable division between the Democrats and the Republicans.

Mr. BARNES justified the position he held yesterday.

Mr. MOORE, of New-York, made a speech, in which he declared that the Democrats could never help to raise to power the party which had oppressed Democrats and outraged democratic principles last Winter.

The debate was continued by several others; and on a motion to lay the plurality rule on the table it was adopted.

After tabling the resolution to elect by a plurality vote, an attempt was made to take a vote for Speaker.

Mr. MCNEIL offered a compromise resolution for electing all Democrats and Republicans—tabled.

The House then adjourned till to-morrow.

Attempted Compromise between the Republicans and Americans.

ALBANY, Wednesday, Jan. 20.

It is understood that the Republicans have entertained a proposition from the Americans to withdraw Mr. RICHARDSON and take up another candidate for Clerk acceptable to the Americans. The Republicans are now in caucus, and the proposition excites warm debate. The proceedings are of course private.

The State Military Association.

ALBANY, Wednesday, Jan. 20.

During the session of the State Military Association to-day an ineffectual effort was made by Col. KING for the passage of a resolution providing for the appointment of a Committee to amend the military laws of the State.

A resolution was unanimously adopted against any change in uniforms being allowed, except to the regulation uniform.

A resolution was adopted, that no officer owing dues be allowed to join the Association till all arrears are paid.

A resolution, seeking the disbandment of independent Companies, was tabled by a large vote.

The constitution was altered so as to make Albany the permanent place for holding the annual meetings of the Association.

The report of General SWAN, taking the ground that the Charters of independent companies were destroyed by the militia law of 1847, was adopted.

Major H. S. LANSING, of the 1st Brigade, was elected President for the ensuing year; Col. G. W. PRATT, of the 20th Regiment, Recording Secretary; Col. LADUE, Corresponding Secretary, and Col. DUNTRA, 1st Vice-President.

The military display to-day was very fine. The Burgesses Corps, of this city, the Troy Citizens' Corps, and the Utica Citizens' Corps—all independent companies—made a splendid show, particularly the Burgesses, and had an effect on the action of the Association respecting the disbanding resolutions.

The New-York Company of the Tiro Regiment,

Foreign Intelligence.

By Express from Liverpool.—Arrival of Steamers.—Vessels Sailed.—Sales of Cotton.—Sales of Breadstuffs.—Provisions.—Sales of Stocks, &c.

Sales of Goods, of No. 466 Grand-street, and [illegible] of No. 9 Broome-street, complained [illegible] the Mayor's office, of having been [illegible] stolen stores No. 88 Cortlandt-street, [illegible] corner Park Row and Ann-street [illegible] Officers were dismissed from the Surrogate's office, compelled to resign.

CRIMES FROM JUSTICE.—Officer Elder of the Police arrested yesterday Samuel [illegible] charged to be a fugitive from Elmira, N. Y., where he stands charged with having defrauded Mr. Alfred [illegible] of Elmira, of $10,000. He was taken back [illegible]

Railroad Accident.

CHESTER, Wednesday, Jan. 20.

The express train which left New-York last evening on the Erie road was thrown from the track about two miles east of this place by a broken rail. Several passengers were slightly injured, but not seriously enough to prevent them proceeding on their journey.

Burning of a Large Flouring Mill.

The large steam flour mill in this place owned by Messrs. MOSS & MANWARING, was destroyed by fire; together with all its contents, last night. The mill caught fire from a furnace. The loss is $12,000, and the insurance about $7,000.

Last Act of Governor Pollock.

PHILADELPHIA, Wednesday, Jan. 20.

The last act of Governor POLLOCK was the pardoning of JOHN CASEY, who, the jury decided, was implicated with EYRICK in killing a man in the great brawl in Southwark.

United States Supreme Court.

WASHINGTON, Wednesday, Jan. 20.

No. 39.—Argument continued for the plaintiffs, and concluded for plaintiffs.

No. 40.—Wm. T. HAGGERTY *et al.* vs. JOHN SIMMONS. Argument commenced for the appellant and continued for the appellee.

Weather Reports.

By the Northern, Eastern, Western, and Southern Telegraph Lines—Office No. 19 Wall-street.

WEDNESDAY EVENING, Jan. 20.

OSWEGO.—Cloudy; wind south. Thermometer 30°.

MONTREAL, 8 A. M.—Cold and clear. Thermometer stood at zero. A loaded team was lost at Longueuil whilst crossing on Monday afternoon by breaking through the ice. The driver escaped.

QUEBEC.—Clear; wind north. Thermometer 6°.

EASTPORT, 8 A. M.—Clear; wind north west. Ther. 6°

CALAIS, 8 A. M.—Clear and cold; wind southwest. Thermometer 9°.

BANGOR, 9 A. M.—Clear; wind northwest. Ther. 17°.

PORTLAND, 9 A. M.—Clear and pleasant; wind northwest. Thermometer 14°.

PITTSBURG.—Cloudy. Thermometer 34°.

TOLEDO.—Clear. Thermometer 28°.

BUFFALO.—Clear; wind West. Thermometer 30°.

CLEVELAND.—Hazy; wind southwest. Ther. 30°.

SPRINGFIELD, Ill.—Clear. Thermometer 30°.

CAIRO.—Clear, pleasant. Thermometer 40°.

FULTON, Ill.—Clear. Thermometer 30°.

BURLINGTON, Iowa.—Clear. Thermometer 30°.

ROCK ISLAND.—Pleasant. Thermometer 30°.

JANESVILLE, Wis.—Clear. Thermometer 30°.

PRAIRIE DU CHIEN.—Clear. Thermometer 30°.

ST. LOUIS.—Clear, pleasant. Thermometer 30°.

DUBUQUE.—Clear. Thermometer 25°.

CHICAGO.—Clear. Thermometer 30°.

MILWAUKEE.—Clear and pleasant. Thermometer 30°.

PORTAGE CITY.—Clear. Thermometer 17°.

FOND DU LAC.—Clear. Thermometer 30°.

LOUISVILLE.—Very foggy. Thermometer 40°.

INDIANAPOLIS.—Clear. Thermometer 30°.

TORONTO.—Clear and pleasant. Thermometer 30°.

DETROIT.—Clear and pleasant. Thermometer 30°.

PHILADELPHIA.—Clear; wind west. Thermometer 30° at 12 M.

ROCHESTER.—Clear and pleasant. Thermometer 30°.

BUFFALO.—Clear and cool. Thermometer 30°.

SYRACUSE.—Clear and pleasant; wind southwest. Thermometer 30°.

AUBURN.—Mild and cloudy; wind southwest. Thermometer 30°.

UTICA.—Clear and cool; wind south west.

ALBANY.—Clear, and mild. Thermometer 30°.

SCHENECTADY.—Clear and pleasant; wind west. Thermometer 34°.

TROY.—Clear. Thermometer 30°.

DUNKIRK.—Mild and clear.

HORNELLSVILLE.—Clear and pleasant; wind northwest.

ELMIRA.—Mild and clear.

PORT JERVIS.—Beautiful day; very mild.

BOSTON.—Clear and pleasant. Thermometer 30°.

PORTLAND.—Clear; wind northwest. Thermometer 26°.

Almost a Murder—A Carman Shoots the Suspected Seducer of His Child.

A great deal of excitement was created in the lower part of the City, yesterday morning, by the report that a man employed in the store of the Messrs. (Nos. 147 and 149 Cedar-street) had been shot by a carman, under the impression that he was the seducer of the carman's daughter. The particulars of the affair, as near as we have been able to gather them, are as follows:

Mr. A. KEMP is a dealer in pickles, preserves and fruit, his bottling and packing warehouse being at Nos. 147 and 149 Cedar-street. Over one hundred females were employed in this establishment during the busy season, a few months ago, but, on account of the hard times, he has lately reduced the number of his hands

The City Poor.

To the Editor of The New-York Times:

That the mild weather with which we have been so far favored has in a large degree *mitigated the sufferings* of the poor, is not to be doubted, but that it has lessened their number, we may well question, when *we peruse the* "appeal" lately made by the Association for "Improving the Condition of the Poor." *The number of worthy poor* —all of whom must, according to the rules, have been residents of this country for at least five years—now receiving relief from that Association is 20,000! whereas we find that the number so relieved during the corresponding period of last Winter, only reached 7,000—*an increase of* 13,000 *over last year.*

It will, therefore, appear evident to you and your readers, that while mild weather will prevent hungry people from suffering to the *same extent* which they would with a foot of snow upon the ground, it does not *lessen* their numbers. And while we credit the mild weather with occasioning an alleviation of the sufferings of the poor, we must not forget to charge it with being the cause of the contributions to the Society above mentioned *falling off more than one-half within the past three weeks, while the applications for relief in the same time, have more than doubled.*

DIX.

Miss Juliana May.

Of all the gifts with which Nature dowers her favorites, whereby to elevate, instruct, or enchant the world, the possession of unusual musical powers is surely, in one sense, the most thankless. To soothe, cheer, and make one's fellow-mortals happier is certainly an exquisite pleasure; but how fleeting and transitory are the triumphs of this heaven-born art. There must be years of steady labor, long hours of weary study, ere one possessing the "divine afflatus," the birthright of genius even, can come before the world an acknowledged interpreter of musical inspiration; and, at last, what awaits the artist? A breath, a few moments of rapture, and all is over. It may be that the voice has touched responsive chords in many a heart, that its tones may linger lovingly in many a memory; but there the artist's power rests and dies. No words, no canvas can convey to others a sense of delicious notes and warbling cadenzas; and the most glorious triumphs of a musical artist are at best but traditions. But so much the more do we owe it to our æsthetic benefactors, these perishable children of song, that full justice should be done to their peculiar excellences or extraordinary artistic qualities *while they are with us*; for it is *our* voice, our *present verdict* which will constitute their only future fame.

These thoughts have come to me while reading the various notices, in different cities, of the concerts of Miss JULIANA MAY, and her late brilliant successes, and I have smiled at the absurdly contradictory ideas of her attainments and vocal science, which will be presented to the readers of coming generations who may be seeking for some account of the musical glories of the past. Confounded and surprised at the extraordinary antagonistic manner in which *soi-disant* critics pronounce upon the most palpable points, the quality of her voice even, I beg you to lend me a few moments in which to give the public a more correct and just idea of the wonderfully-varied gifts of this young *cantatrice*.

First, as to the quality of her voice, which has been characterized under every known term, I believe, except *basso*, but is, in fact, a full high soprano *assoluto*, of extensive, even remarkable range, but with notes of contralto depth and richness, and a metallic sympathetic *timbre*, very rare in a pure soprano, which has led to the error of calling Miss MAY a contralto singer; a flattering mistake, however, proving the unusual combination of registers. I have never heard notes of more delicious sweetness than the middle register especially of her voice, which is throughout strong and clear, without break or creak; head and chest notes, contralto and soprano, melting into each other with an even equality unparalleled among the greatest living singers; for, while LIND's *upper* register is the most marvelous known, the middle notes are weak and the lower ones poor.

In consequence of this magnificent natural scale Miss MAY's execution is marked by the total absence of all effort, as she takes the highest notes with consummate ease; such as *re in alto*, in *Ah! non giunge*, which, by the way, she sings in the original key, rendering it, therefore, with the ringing joyousness intended by the composer, to whom *transposed* music is always a signal injustice. In easy and brilliant vocalisation, flinging out the rich notes, as the Italians say, *con spontaneita*, and in the perfection of her intonation, she certainly is unsurpassed. Her method is pure Italian, and there are many unusual points of brilliancy belonging to that school which Miss MAY possesses in an unrivaled degree; such as her sparkling syncopated intervals, and the cadenzas and *fioriturі* in *Di placer*, which are exquisite—the flute variations of this aria especially, which were written for her by BORDOGNI, evincing very rare skill. In the cavatina *Ernani Involami*, I was much struck with those *staccato triplets*, which she takes with infinite spirit, and which are so seldom sung as written.

I have heard in Europe all that is good in vocalism, and have only given vent to my own appreciative delight in dwelling on Miss MAY's beautiful *specialités*, but I am also glad to have my opinion confirmed by orthodox authority. ROMAGNI said that she must have been born trilling and running chromatic scales, so perfect are these graces of song; while DUPREZ said of her, that "in *sostenuto, sotto voce*, and *crescendo* she has no equal," and he is the great musical arbiter, the most famed of French tenors.

Indeed, every *maestro* of present renown—ROSSINI, MEYERBEER, BALFE, HERZ—all have united in ardent admiration for Miss MAY's great powers, hoping that she would devote herself to the lyric stage, and not confine her triumphs to the concert-room. For opera, indeed, she has chiefly studied, and any one who has heard the intense expression with which she renders *Robert, toi que j'aime*, must feel that only on the stage can her dramatic force be fully developed. And in declamation, in the recitative, for instance, of that exquisite *morceau* from "Lucia," *Regnava nel silenzio*, she is wonderfully effective, possessing with Italian purity this crowning requisite for a successful lyric artist.

It is with the earnest hope that our public may yet hear Miss MAY at the Academy that I have ventured to note the qualities which so eminently fit her for a Prima Donna, in which position I am confident she would at once electrify us by her combined musical and dramatic genius. I cannot forbear urging upon the energetic manager of the Academy to secure for himself the immense advantages which would accrue from an engagement with Miss MAY, who is fully prepared to appear at once in the best operas, and whose fresh voice, youth, and spirit would enthusiastically carry through the musical season.

AMATEUR.

Aaron Burr's Papers—Mr. Weed's Reply to Mr. Parton.

From the Albany Evening Journal.

The first volume of DAVIS' *Life of Burr* was published some four months after the death of Colonel BURR. *When* published, the "Correspondence" referred to *had* been destroyed. In saying that "as soon as Colonel BURR's decease was known," the correspondence was destroyed, Mr. DAVIS, as he further says in his "Preface," intended to quiet an "intense solicitude for the suppression of letters that would have wounded the feelings of families more extensively than could have been imagined." Mr. DAVIS goes on to say:

"No sooner had the newspapers announced the fact that the Memoirs of Col. BURR were to be written by me than I received letters inquiring into the nature of the revelations that the book would make. These letters came both anonymously and with known signatures. I *alone* have possessed the private and important papers of Col. BURR, and I pledge my honor, as far as I know and believe, that every one of them that could have injured the feelings of a female, or those of her friends, is destroyed. In order to leave no chance for distrust, I will add that I never took, or permitted to be taken, a single copy of any of these letters, and, of course, it is quite impossible that any publication hereafter, if any should be made of such papers or letters, can have any pretence of authority."

Colonel BURR committed his papers to Mr. DAVIS more than a year before his death. We were much with Mr. D. during the Summer of 1835, (BURR died in September, 1836,) having access then, as afterward, to this correspondence. We occasionally visited Colonel BURR with Mr. DAVIS, during his last sickness. He then boarded in Broadway, just below Wall-street, receiving hospitable and untiring attentions and kindness from one in whose pillow he had planted sharp thorns.

If by the words, "As soon as Colonel BURR's decease was known," &c., Mr. DAVIS is held to have meant a day, or a week, or even a month, then Mr. PARTON's criticism is just. But it, as we know, the attention of Mr. DAVIS was to affirm solemnly that he had destroyed "every vestige of that correspondence," then the discrepancy is one of form rather than of substance.

Executive Mansions.

SIR: Rensselaer House, New-York, Wednesday, Jan. 30, 1856.

To the Editor of the New-York Times:

In your paper of yesterday, in referring to "Official Residences," you say:

"But the only official residence in our whole Union, we believe, is the White House in Washington, the official palace of our President. Pennsylvania, however, has purchased a house for the residence of her Governor, at the State Capital, and if the bargain succeeds, we presume all the other members of the Confederacy will be induced to follow the example of the Keystone State."

The object of writing this is to inform you that you have made a grave mistake, and one calculated to call in question the wisdom and intelligence of the people of Kentucky, who, in the exercise of common sense only, many years ago, provided a permanent mansion for the Governor of the State. This stately edifice was constructed of Kentucky marble, occupying spacious grounds on a beautiful street, and adorns one of the few interesting and romantic capitals in America. In this mansion the Governor of the Commonwealth entertains the people of one of the most wisely-administered States in the Union; and, in confirmation of this, on the present occasion, I need only to refer to the fact that the Executive Mansion is provided and maintained at the expense of the State, with a liberality characteristic of the inhabitants of that "ancient and honorable Commonwealth."

T. P. S.

THE STATE CANALS.

From the Annual Report of the Auditor of the Canal Department.

REVENUES AND EXPENDITURES FOR THE FISCAL YEAR.

The actual revenues of the State canals, from all sources, annual in their nature, is presented in the following statement. The expenditures during the year, as also the annual charges caused by or *growing out of them, with the expenses of collection*, superintendence and ordinary repairs, are also stated below; and these exhibits, in brief, the condition of the resources of the State in respect to the canals.

RECEIPTS.

From canal tolls	$2,550,661 66
From rent of surplus waters	1,850 50
Interest on current canal revenues, &c.	27,964 00
Total	$2,550,499 06

PAYMENTS.

To superintendents of repairs	$220,070 30	
To contractors of repairs	141,092 62	
To Canal Commissioners	66,104 96	
To collectors, for salaries, clerk hire and expenses of their offices	75,297 64	
To weigh-masters, for salaries, clerk hire and expenses of their offices	7,779 10	
For refunding tolls, printing, salaries of Canal Officers, Department and miscellaneous paym'ts	39,268 67	570,403 46
"Surplus revenues"		$1,980,015 60
Deficiency to be supplied by taxes		110,984 40
Total		$2,090,000 00
Amount of taxes, act. chap. 96, Laws 1855		$350,000 00
Amount of deficiency, as above		110,984 40
Amount belonging to General Fund		$239,015 60
Amount belonging to Canal Fund		110,984 40
Total		$350,000 00

The sums set apart by article 7 of the Constitution to pay the interest and redeem the principal of the State debt, are as follows, viz.:

For that part of the State debt called the Canal debt, under section 1, article 7 ..... $1,700,000 00
For that part of the State debt called the General Fund debt, under section 2, art. 7 ..... 350,000 00
Total $2,050,000 00

The revenues of the canals have not during the year been sufficient to give a "surplus" to meet the first charge imposed by the Constitution, and there is a deficiency of $460,984 40 to cover the contributions required by the above named sections.

The difference in the receipts and payments, the two last years, is shown by the following comparative statement:

	1856.	1857.
Receipts from tolls, &c.	$2,740,133 40	$2,520,505 86
Payments to Superintendents and Contractors of repairs	606,982 38	762,042 98
Payments by Canal Commissioners for repairs	62,473 78	98,104 96
Payments to Collectors, Weighmasters and Assistant Collectors	82 623 86	83,046 94
Refunding tolls, salaries, &c.	34,605 38	30,256 67
Totals	$786,633 40	$970,453 46

The steady and gradual increase in the cost of collecting the tolls should attract public attention, and a remedy should be applied.

OF THE RATES OF TOLL AND THE COLLECTION THEREOF.

The present rates of toll on the Canal are from 20 to 50 per cent. below a fair revenue standard; that is, the cost of transportation would bear this increase in the rates without any danger of diverting trade to other channels beyond the geographical limits of the State.

In the last Annual Report from this Department the Auditor suggested a revision of the rates of toll to the Canal Board. As that revision could not be effectively accomplished without the concurrent action of the Board and the Legislature, and the Legislature at the last session having failed to concur in the resolution of the Board fixing new rates of toll on sundry enumerated articles, nothing was done on the subject, and perhaps this was not very material, as the resolution of the Board contemplated a reduction in rates instead of an adjustment with a view to revenue simply, which the Auditor supposes is the first and most important duty of the State authorities towards the public creditors and the people.

There can be no doubt of the fact that the freight transit between the Western States and the Atlantic coast, through this State, is very much cheaper than any other route that has attempted a competition. The numerous lines of railroads running from west to east through Illinois and Wisconsin, connected with others in Missouri, Iowa, and proposed lines in Minnesota, and all of them touching the great inland lakes of the West, demonstrate very clearly the natural and legitimate tendency of the trade and freight traffic of that region. New-York, by her canals, and the railway lines connecting with Lakes Erie and Ontario, is and will be the thoroughfare through which this trade must pass, and this traffic be carried on.

Is it not a humiliating spectacle to see the State thrust into a competition for the carrying trade, oppressive to her people and ruinous to her competitors, or, if not ruinous to them, at least not very profitable, if we may take surplus revenues and surplus earnings as the rule to guide our judgment in matters of this kind? During the past as well as several of the preceding years, it has been quite apparent that if the rates of toll on several leading articles were kept up, the canals must lose the carrying trade of them. Take the article of flour, in barrels, as an example, which is a compact freight, and can be easily and cheaply handled and transhipped, and in which the canals have encountered a very active competition. The following statement shows the number of barrels carried on the canals in each of the years named, and the tolls received by the State:

	Barrels.	
In 1851	3,853,472	$646,402
In 1852	3,773,815	643,249
In 1853	3,439,380	565,744
In 1854	1,550,491	222,472
In 1855	1,509,203	213,092
In 1856	1,212,231	146,633
In 1857	860,000	102,816

The number of barrels carried in 1857, is estimated, and it is believed this estimate is rather above than below the actual quantity.

It has been well ascertained from official sources, that, in 1856, "more flour in barrels and sacks, the produce of this State, Canada, and from Lake Erie, was delivered at tide water than in 1851." With a view of retaining the transportation of this article to the canals, it has been suggested that the rate of tolls should be reduced from 3 to 1, or 1.5 mills, which would be equivalent to about 8 or 12½ cents per barrel, from Buffalo to tide water, according to the rate of reduction. We find in this statement a difference in tolls on this one article, between 1852 and 1857, and a loss of more than half a million of dollars, equal to one quarter of all the canal tolls received during the last season. This fact presents itself in bold and broad relief, to our consideration. The loss of half a million of dollars a year on one article, is an important fact, and it deserves and should receive the most serious consideration of the State authorities. If by the proposed reduction, or any other reduction in the rates on flour, the revenues can be increased, it is certainly very desirable the thing should be accomplished. But to preserve the transit of flour through this State, either by the canals or the railways, there is no necessity for this reduction. In other words we are not called upon to cheapen the carriage in order to retain the business, but we are required, it seems, to reduce the cost of transportation upon the canals to counteract the effects of railway competition, and must consequently throw the burthen and the loss, in the shape of taxation, upon the people. We cannot evade or avoid this without repudiating our contracts and nullifying the public faith.

In a revision and modification of the rates of toll on boats and property, some consideration in the opinion of the Auditor should be given to the fact that the rate of two cents a mile is charged on all boats used chiefly for the transportation of property, without any regard to the registered tonnage; and a boat of 20, 40 or 60 tons pays the same toll or duty for the right of passage as another of 100, 150, or even 250 tons. An artificial water way for a boat of 50 tons can be made at a much less cost than for one of 250 tons, while the latter has four times the capacity for business over the former; yet the toll or duty for the right of passage is the same on both boats for navigating the enlarged and most expensive canal. Now, if two cents a mile is a just compensation to the State for furnishing the means of passage to boats of any registered tonnage, is it equitable and right to impose the same toll on all without discrimination?

The number of boats navigating the canal has decreased since those of the larger size and capacity have been brought into use, and the tolls on boats alone in 1856 were $55,011 less than in 1852, notwithstanding there was a considerable increase of the total tonnage between those periods. When the existing rates operate to exclude business from the canals, it is no doubt the duty of the State officers to restore it by such reductions as will accomplish the object, but beyond this limit justice to the public creditors and to the people requires us not to go. The duty of laying tolls for revenue is enjoined by the Constitution, and the Auditor respectfully suggests, and urgently insists, that there is no power vested either in the Legislature or the Canal Board, to permit any kind of property transported upon the canals to pass free of tolls, so long as the revenues are insufficient to meet the constitutional charges imposed upon them.

OF THE RESUMPTION OF TOLLS ON FREIGHT CARRIED ON RAILROADS.

In the last annual report from this Department, the Auditor felt it to be his duty to call the attention of the Commissioners of the Canal Fund to the condition of the canal revenues arising from tolls, and endeavored to show, by a series of comparative statements, the effect of railway competition upon the income of the canals. The past and present actual diminution of tolls, and the prospective results to be anticipated from a competition that can end only in the imposition of severe public burdens, seem to justify a further allusion to this subject.

The imposition of unnecessary burdens upon the trade and enterprise of the State, would find but few, if any, advocates; and the Auditor does not design to urge any proposition of that sort. The necessity of imposing tolls upon boats and property navigating and being transported on the canals, arises from a public obligation to provide the means to pay the interest and reimburse the principal of the Canal Debt, in accordance with a constitutional obligation; an obligation which cannot be repudiated or nullified, and the State maintain its credit in its hitherto high and enviable position. The only alternatives left, when the canal revenues do not yield a sufficient income to meet the charges upon them, are *deficiency bonds* upon the credit of the sinking funds, or the imposition of a tax upon the people, to sustain the public credit and maintain the faith of the State.

The repeal of the act of July 10, 1851, releasing railroads from the payment of tonnage duties on freights transported thereon, seems to be manifestly unjust and unequal in its operation, and in violation of the rights and equities of the canals. The following statement will show the aggregate amount of tolls received on all the canals of the State, during the season of navigation, in the years named below, together with the annual charges for collection and superintendence, and giving the surplus in the third column:

	TOLLS.	CHARGES.	SURPLUS.
In 1851	$3,299,727	$997,730	$2,301,997
In 1852	3,113,344	1,043,045	2,069,199
In 1853	3,204,718	1,098,276	2,106,343
In 1854	2,773,596	1,237,896	1,535,700
In 1855	2,850,977	992,793	1,858,283
In 1856	2,740,133	788,634	1,951,573
In 1857	2,031,967	970,453	1,061,514

In this statement the fractions of the dollar are omitted, and it is proper to remark, that the costs for collection and superintendence are those ascertained at the close of each fiscal year, on the 30th of September; and, although not showing the actual charges for any one year during the season of navigation, yet when applied to a series of years, the aggregate will be found sufficiently accurate to present a fair comparative test.

The annual interest on the Canal Debt of 1842 has been, since the 1st day of January, 1856, $692,193 28, and this sum is chargeable upon the "surplus revenues," in the first instance, leaving the remainder of these "surpluses" to reimburse the principal as it falls due. The public creditor has a right to call for the payment of his bond in accordance with the stipulations upon the face of it, and it is the duty of *the State to pay it. This duty implies a necessity* which overrides all other considerations of duty or policy.

The canal stock debt of the State, due on the first day of July, 1858, is $3,056,605 34, and from whence are the means to be obtained to make this payment? According to the above table, the accumulated remainders of the "surplus revenues" since the first day of January, 1856, will not be sufficient for that object, and there is no rational probability that the surplus from the tolls of May and June, 1858, can make up the deficiency.

The fifth section of the seventh article declares that "if the sinking funds, or either of them, provided by this article, shall prove insufficient to enable the State, on the credit of such fund, to satisfy the claims of the creditors of the State as they become payable, the Legislature shall, by equitable taxes, so increase the revenues of the said funds as to make them, respectively, sufficient perfectly to preserve the public faith. Every contribution or advance to the canals or their debt from any source than their direct revenues, shall, with quarterly interest, at the rates then current, be repaid into the treasury, for the use of the State, out of the canal revenues, as soon as it can be done consistently with the just rights of the creditors holding the said canal debt."

Under this section, it has hitherto been the practice, when the canal sinking funds have been insufficient to pay the interest and principal of the debt when the same were due, to make deficiency loans upon the credit of the funds "to preserve the public faith." If the position assumed by some strict constructionists of Constitutional law be correct, that equitable taxes can only be levied in aid of the sinking funds provided to pay the original debt, and that whoever holds any portion of a deficiency loan rely only upon "surplus revenues," without the aid of taxes, for his indemnity, is it not the duty of the Legislature to prevent the Commissioners of the Canal Fund from any longer obtaining money under false pretences?

But the questions now presented are, did the Legislature, in passing the law of 1851, act within its constitutional power, and, if so, then it is expedient to resume the tolls then released, for the purposes of increasing the canal revenues and aiding in the preservation of the "public faith?" The Auditor has seen no reason to modify the suggestions thrown into the former report on this subject, and he regards the alienation of the income or tolls of the canals, either directly or indirectly, as equivalent to a sale, lease, or other disposition of the canals themselves. In considering this subject we may inquire, whether, in 1851, the Legislature could grant the power of transporting property without the payment of tolls at canal rates to a railroad company whose line run along and parallel with the canal, and whose charter in 1846, at the adoption of the Constitution, expressly prohibited such company from carrying or transporting freight or property of any description except the personal baggage of the passengers? If such a power does exist, the inhibition against the sale and disposition of the canals amounts to an entailment and perpetuation forever of a burden upon the State whenever it might please the Legislature to frame such a law as would impose rates of toll on boats and property that would effectually exclude all navigation and transportation from our navigable waters. The tolls cannot be reduced below those fixed in 1852, except by the concurrent action of the Canal Board and the Legislature, but the power to raise them to any extent is entirely within the legislative control.

Should the Legislature alone impose such rates of toll on the canals as would effectually drive the business from them, could such an act be sustained as constitutional? Would not the act clearly violate the rights of the public creditor to whom the tolls are pledged for the payment of a debt? Should the Legislature and the Canal Board by their concurrent action reduce the rates of toll so low as to produce only income sufficient for the expenses of collection, superintendence and repairs, and leaving no "surplus" for the public creditor, would such proceedings be upheld by the judicial tribunals of the country?

The Auditor does not mean to say that a large discretion may not be rightfully exerted by the Legislature and the Canal Board, in respect to the rates of tolls levied on boats and property passing on the canals; but discretionary acts of this sort must look to the production of revenue or an increase of it, and not to annihilation. The Constitution, as it now reads, pledges the canal revenues to the redemption of the public debt, and when that is satisfied, then to the repayment to the treasury of every contribution or advance to the canals or their debt, from any source other than their direct revenues, with quarterly interest at current rates upon all contributions and advances.

If the act of 1851 confers no benefits upon the Railroad Companies, its repeal cannot injure any one of them; but if its provisions operate beneficially to those Corporations, it must be at the expense of the State and its citizens, as well as the public creditors.

The statement below, shows the steady and progressive increase of the freight traffic upon the two lines of railway competing with the canals, for the period of four years, commencing with 1853, when the several railroads constituting the then New-York Central line were consolidated:

Roads.	Total Tolls collected on Canals, and Freight on Railroads. 1853.	1854.	Total tolls collected on Canals, and Freight on Railroads. 1855.	1856.
N. Y. C. R. R.	$1,838,830	$2,479,820	$3,186,603	$4,328,041
N. Y. & E. R. R.	2,537,214	3,389,590	3,653,002	4,545,782
Total	$4,376,044	$5,849,410	$6,842,605	$8,873,823
Total Canal	$3,204,718	$2,773,566	$2,805,077	$2,748,212

The several railway reports show a corresponding increase of tonnage on through and way freight in proportion to the receipts. It will be noticed that the receipts from freight carried on these two roads more than doubled in four years. The loss of tonnage on the canals from 1853 to 1856 was equal to the diminution in tolls, as shown by the above figures. These were years of great commercial prosperity and active business. There were no unusual obstructions to canal navigation during these periods to drive away business, except in the month of May, 1856. While the canals have at no time been burdened with business to more than 50 per cent. of their capacity, the ability of railroads to compete with the canals in the transportation of freight has not, until recently, been brought before the public. Their actual capacity for business has probably not yet been fully ascertained or put to a test.

The condition of the Canal finances demands immediate remedial action of some kind, if within the limits of legislative control, to render them more nearly adequate than they now are to fulfill the obligations of the State.

In reply to one branch of a resolution of the Senate at the last session of the Legislature, requiring the Canal Board to report "what would be the effect of restoring tolls upon the railroads of this State, released by the act of 1851, and the amount which would have been added to the canal revenues since the passage of said act, had it not been passed," a table was carefully prepared at the Department with a view of presenting to the Legislature a reliable and comprehensive view of the subject, and one which could not be assailed or refuted.

With a view of presenting the basis on which the amounts in the table were ascertained, and also the conclusions established, the Auditor now presents an abstract from the report:

"From 1845 to 1852, the whole amount of tolls received by the State on property transported on railroads, was $661,662 56, and for the fiscal year ending Sept. 30, 1851, the State received $171,055 01 on 497,016 tons of freight carried 20,733,022 miles by the railroads, subject to canal tolls during that year. This sum of $171,055 01, gives an average of 8 1-10 mills per mile per ton of toll. This has been made the basis of computation in the annexed tables for the years 1852 and 1853, and this should have been the basis of computation for the whole five years, if the rates of toll had not been reduced in 1852 to meet railroad competition.

For the years 1854, 1855 and 1856, the computations have been made on the basis of six mills per ton per mile. The Canal tolls on freight classed as merchandise which is carried by the Railroads, it is believed, would pay seven mills per ton per mile, while the freight classed 'agricultural products' would pay five mills per ton per mile on an average. The mean of these two sums will, it is believed, present a fair basis of estimate.

Estimating the toll receipts from these roads on the basis above given, there would have been paid into the treasury, on account of the Canal Fund:

1852, Sep. 30, on	44,981,948 tons carried one mile, $269,891
1853, Sep. 30, on	52,877,193 tons carried one mile, 424,144
1854, Sep. 30, on	84,267,040 tons carried one mile, 505,602
1855, Sep. 30, on	101,331,621 tons carried one mile, 607,899
1856, Sep. 30, on	149,399,314 tons carried one mile, 896,394
Total for five years	$2,913,930

This would have been the sum which would have been added to the canal revenues since the passage of the act of 1851, if these roads had carried the amount of freight which their several reports show they have carried during the above periods, and the rates of canal tolls had remained as fixed each year by the Canal Board."

But it may be urged that the repeal of the act of 1851 would seriously affect the interests of the railroads, and objections may be made against a repeal on that ground. If the State is bound to lay aside its own paramount interests—if the welfare of a few railway shareholders is to be the rule of the whole people of the State, then the whole policy of special grant, many of the most important franchises and rights and privileges of railroads, and the whole system of taxation, then all the rights and privileges acquired by the repeal, and all the taxes to be collected whether even the net income of the canals on the transportation done, will be materially diminished by the repeal of canal tolls thereon. This may seem to be a novel and bold proposition; but fair is the argument. If the roads, during the season of canal navigation, carry four from Buffalo to New-York with any margin of profit, the addition of 25 cents per barrel for tolls, would better the rate to canals below the price established for the carriage of flour the ensuing Winter. The cost of transportation is paid generally by the producers and consumers, and perhaps both of these parties participate; but the middle-man takes care that the market shall bear the cost of carriage, and it makes no difference to him whether he pays fifty or seventy-five cents carriage on a barrel of flour from one given point to another, if he may be compensated on the sale. We must also consider in this connection that the competition at the places of Atlantic shipment and of domestic Eastern consumption, with the grain market of the Western States, is too inconsiderable to govern prices at New-York, or in the consuming States east of us. The seller of Western wheat and flour makes his price, and the consumer pays it. Time, too, has become important in business transactions of this kind, and when the demand exceeds the supply, or excites the market, that market must and will be reached with the speediest, if not by the cheapest mode of transit; and hence the managers of railways leading from a Western to an Eastern market may always fix their own prices for carriage, without any hazard of loss in business. The great difficulty in the way of obtaining remunerative prices for transporting property during the season of canal navigation is owing to the fact that the means of transport far exceeds the business required to be done, and hence an active competition drives down prices to the lowest remunerative standard, if not to one of actual loss.

If we wait until cheapened competition and low rates of toll will restore our canal revenues to the standard required to meet the charges upon them, we must wait long and be disappointed. A moderate charge of imposts or tolls on all articles of consumption is supposed to be the best and most approved method to secure a revenue. A prohibitory tariff shuts out importations, and a rate of toll can be imposed that would exclude business from the canals. Imposts may be too low, and tolls may be too light, to give the required amount of revenue.

One of two propositions must soon be adopted to restore the canal revenues to a point which will enable the State, without a resort to direct taxation, to meet the Constitutional charges upon tolls. Either repeal the act of 1851, or levy an *equitable* tax on all the railroads in the State whose freight traffic competes with the Canals, to raise a sum equal to the ascertained deficiency in the Canal revenues, to pay the annual contributions required by the Constitution. This *equitable* tax should be levied on the amount of freight carried over each road, and the freight should be of that description and character as to compete with the business of the Canals.

GOVERNORS' MESSAGES.

Message of the Governor of Wisconsin—The State "Short."

Governor RANDALL'S Message to the Legislature of Wisconsin announces a large increase in the State expenditures. The estimate for 1856 is $535,894, while the estimated receipts are only $455,576. The *probable deficit* for the coming year will therefore be $70,345. In 1849, the expenditures were only $70,085—not equal to the deficit for this year. Moreover, the expenditures of last year were but $394,690—showing an increase of $141,134 for 1856. And, besides, past experience demonstrates that there has been a wide difference, since 1849, between the expenditures of the State as estimated and as actually reported. As to the outgoes of 1857, however, a large proportion is explained by the extra appropriation of $80,000 for the enlargement of the State Capitol, and sundry amounts paid to benevolent institutions. The prospect for this year is financially gloomy. The Governor recommends a close scrutiny of the estimates of expenditures, and the propriety of effecting a loan is suggested. Altogether, the finances appear to be in a bad way.

The law in relation to the Common Schools is lax, hence no full reports have been rendered. The number of pupils in the Schools of the State last year, was rated at 138,613; at a cost of 66 cents each. The anticipated average increase to 95 cents can hardly be met this year, owing to the financial embarrassment. In the Deaf and Dumb Institution there are 57 pupils; but an appropriation of $21,500, required to finish the new edifice, can hardly be afforded. The Insane Hospital and House of Refuge are recommended for such aid as the Legislature may be able to bestow. The State University has 164 students. The State Historical Society has a library of 4,000 volumes and 4,000 pamphlets, besides a collection of 40 valuable oil-paintings; but an omission of the publication of transactions is recommended for this year. The agricultural products were but partially reported; but among the items given are 8,717,756 bushels Wheat, and 6,055,668 pounds *butter*; besides a mineral yield of 22,706,700 pounds of lead, (Grant County, the heaviest mineral region, not returned.) Agricultural interests are recommended to the fostering care of the Legislature. Facility to mining improvements is also warmly urged. The Banking law is deficient, and needs remodeling. The whole number of Banking Associations in the State is 75, of which 27 were organised in 1857. The aggregate capital is $5,940,000; circulation, $3,215,488; specie (Jan., 1856) not given; specie, (Jan., 1857,) $542,936, against $1,702,570 circulation. Of the total outstanding circulation of the banks, $3,215,488, Missouri has furnished securities to the amount of $2,004,000. The Governor says: "The facility with which certain stocks are changed into currency under our Bank Department, must, unless checked speedily, put an end to our Bank System.

Of the Pacific Railroad project, the Governor says: "The necessity of a thoroughfare by wagon or railroad, or by both, in our own latitude, to the Pacific, for the convenience of trade and navigation, is so apparent that I suggest that the Legislature join in the *efforts* now being made for that purpose, and memorialize Congress on the subject. From the head of Lake Superior to Puget Sound, the distance in a direct line is about 1,400 miles, and by the railroad route lately explored by Governor STEVENS, about 1,800 miles."

Large space is given to a discussion of the Slavery question. The power of Congress over Slavery in the Territories is reviewed at length, and the Governor adds:

"We owe it to ourselves, and to the other Free States, and to the spirit of our institutions, to record our solemn protest against it. Wisconsin was born of Virginia when ideas of free government filled the minds of her great statesmen, and when liberty was the theme of her orators. The child has not forgotten the early taught lessons of the parent. There shall be neither Slavery nor involuntary servitude in the State of Wisconsin otherwise than in the punishment of crime, whereof the party shall have been duly convicted.'

The right to control, is a necessary incident to the power to acquire, Territory. Congress has no power to establish Slavery in the Territories, because it derives no power from the Constitution, and to establish Slavery was not one of the purposes for which it was ordained and established. The Federal Government has no right to acquire the Territory except for purposes consistent with the objects of our institutions. It has a right, and it is its duty to prohibit Slavery in the Territories, because it has power to legislate over the Territories, and Slavery is the antagonist of that Liberty, to secure the blessings of which the Constitution was ordained and established."

Inaugural Address of Gov. Packer of Pennsylvania.

A brief summary of the Inaugural Address of Gov. WM. F. PACKER, of Pennsylvania, was given in yesterday's telegrams. The full speech reached us yesterday. It is able, temperate, and suggestive. The Governor devotes considerable space to a review of the veto power of the Executive, censures the practice of permitting bills to become laws by limitation of time, and plainly announces his determination to permit no such tacit consent to acts of the Legislature, but to approve or veto bills as his judgment may determine. He proposes to limit the time of signing bills during the recess to the first ten days after adjournment—all then remaining unsigned are to be considered as going over to the next General Assembly. In regard to financial matters, he recommends that all Government payments be made in coin, so as to effect a total separation from the Banks—a reform which he urges strongly. Economy in State expenditure is urged; a revision of the laws relative to Incorporations is considered absolutely essential; Education is warmly commended to legislative regard. The "insubordination" of the Free-State men in Kansas moves the Governor to a free expression of opinion on the issues involved. He says, however:

"To the people of Pennsylvania the admission of a new State into the Union—into that Confederacy of which she is a member—must be at all times a subject of high interest. And I believe I express their sentiments as well as my own, in declaring that all the qualified electors of a Territory should have a full and fair opportunity to participate in selecting delegates to form a Constitution preparatory to admission as a State, and, if desired by them, they should also be allowed an unqualified right to vote upon such Constitution after it is framed. Of course, those who then fail to vote, in either case, cannot complain that the proceeding goes on without their participation. It is to be hoped that Congress will make such provision for other Territories that the present difficulty will have no repetition in the future.

New-Mexico.

The Message of the Governor of New-Mexico calls attention to the lack of judicial authority in the Territory, and recommends a better development of the rich mineral resources of the Territory. The Governor says to the Legislature:

"Your hidden treasures would enrich any State if properly developed. Your mines of gold, silver, cop-

The Pacific Railroad Bill, as Reported by the Senate Special Committee.

A Bill to authorize the President of the United States to contract for carrying the United States mails, troops, sailors, seamen, the supplies of the army and navy, and all other government transportation by railroad, from the Missouri River to San Francisco, in the State of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and directed to enter into a contract, or contracts, for the transportation of mails, troops, seamen, government supplies, by railroad from a point on the Missouri River, between the mouths of the Big Sioux and Kansas Rivers, to San Francisco, in the State of California, on the most eligible route; references being had to feasibility, shortness and economy.

Sec. 2. *And be it further enacted*, That the President shall cause letter documents to be inserted in two newspapers in each State and Territory, and in the District of Columbia, for a period of not less than three nor more than six months, inviting sealed proposals for the construction of such railroad, and for performing the service herein required, as follows:

First—The time in which it is proposed to construct and finish the entire road, and put the same into successful operation, which period shall not exceed ten years from the execution of the contract; also, what extent and portion of said road, beginning at the eastern and western terminus, and progressing continuously until finished, shall be completed and put into operation during each and every year.

Second—The time in which said party will surrender said road, with rolling stock and all its appurtenances thereunto belonging, to the United States, for the purpose of being transferred to the several States which may hereafter be formed out of the Territories through which it may pass, as herein provided.

Third—At what rate per mile per annum, not exceeding five hundred dollars, it is proposed to carry the United States mails daily, both ways, on said road under the direction of the Post-Office Department, for the period of twenty years from the completion of the road, and also for the portion thereof which may be in use while said road is in course of construction; and at what rate per mile, for a like period, upon each section as it is completed, it is proposed to carry on said road, under the direction of the proper departments, all military and naval supplies, troops, seamen, passengers and freights of all kinds for Government purposes, with the limitation that the price to be paid shall not, in any event, either of peace or of war, exceed the sum which in time of peace has been heretofore paid for similar service of equal amount upon any existing route. After the expiration of said contract, said transportation, postal, military, naval, and for every other Government purpose, shall be performed on said Road, under the direction of the proper departments, for reasonable prices, not exceeding those paid on first-class Railroads, to be ascertained by Congress in the event of the disagreement between the Government and the contractors or owners of said Road.

Sec. 3. *And be it further enacted*, That said proposals shall be opened by the President, after due notice, in the presence of his Cabinet and such persons as may choose to attend; and he is hereby authorized and directed to enter into a contract for the transportation provided for in this act with the party whose proposal shall be by him deemed most advantageous to the United States for the full and complete performance of said contract, in compliance with the provisions of this act. And the party with whom said contract may be made, as a guarantee for the faithful performance of the same, shall deposit with the Secretary of the Treasury the sum of five hundred thousand dollars, or the value thereof, in bonds or certificates of stock of the United States, which may be subsequently withdrawn in sums of ten thousand dollars, as the work progresses, on production of vouchers showing, to the satisfaction of the Secretary of the Treasury, that an amount, equal thereto has been expended in the construction of said road. All questions of damages and forfeitures by reason of any breach of said contract, shall be determined by the express terms and conditions of the same; provided, that this act shall be taken and considered as part of any contract that may be made in accordance with its provisions, in like manner as if the same was set forth in said contract.

Sec. 4. *

NEW-YORK LIVE STOCK MARKET.

Reported every week, expressly for the NEW-YORK DAILY TIMES, *by* E. HARRIS, *and* WEEKLY TIMES, *by a corps of able correspondents.*

WEDNESDAY EVENING, Jan. 20, 1858.

The principal Market Places are the

YARDS OF JOHN HALLORAN, 44TH-STREET;

Bowering's, on Sixth-street; Carnahan's, on Sixth-street; and Wyman's, on Sixth-street. Our reporter refers to those regular markets. Irregular sales are sometimes made at Boston Hill, N. J., and from the Hudson River Boats.

The first sales day at the Washington Yards is on WEDNESDAY of each week. The reports from the yards are made up for the preceding week to the evening of that day.

IN the cases above cited it is noted that no action was taken by the owners, and the sole question was whether the animals appear to be worth the prices offered. It often difficult to determine such points, and the contest is apt to be spirited. The rule is to allow the purchaser to reject any animal which he may select, at the price agreed upon, if he will pay for the animal at the rate of the next highest bid. This rule is found to work well in practice, and is in many cases a protection to the seller. Where the animals are sold by the pair, the purchaser is entitled to reject one animal of the pair, and pay for the other at the price agreed upon.

Beeves are sold by the estimated dead weight of the four quarters; the so-called "full quarter" (hide and tallow) is not reckoned in here as it is in Boston and some other cities. When cattle are weighed on the hoof, the deduction usually made is 60 lbs. per 100 lbs. gross, although the actual shrinkage is often much greater. The deduction for hide and tallow is ordinarily 17 lbs. per 100 lbs. gross, and the deduction for offal 4 lbs. per 100 lbs. gross. Thus, a steer weighing 1,000 lbs. gross, would be reckoned at 579 lbs. dead weight. Cows are usually sold by the head, and the price is rarely reckoned by the pound.

Sheep are usually sold by the head, and the price rarely reckoned by the pound. Lambs are sold by the head, and the price rarely reckoned by the pound. Calves are usually sold by the head, and the price rarely reckoned by the pound. Swine are usually sold by the pound, and the price rarely reckoned by the head.

The Cattle at Forty-fourth-street were derived from the following sources:

Ohio	630	Missouri	60
New-York	275	Pennsylvania	21
Illinois	252	Connecticut	—
Kentucky	187	Michigan	51
Virginia	69	New-Jersey	—
Iowa	—	Canada and Nova-Scotia	—

The Cattle at Forty-fourth-street were sold during the week, and the receipts of fresh stock during the week, and the receipts of fresh stock being a little below the average, the requirements for the week's market were just about met by the 1,060 head on sale. The quality of the stock was about the same as that of the previous week, and the prices realized were also about the same. The following is a statement of the receipts and sales for the week:

	Receipts.	Sales.	Prices.
Tuesday	1,060	1,060	6½c. @ 10c.
Wednesday	858	858	6½c. @ 10c.
Thursday	1,060	1,060	6½c. @ 10c.
Friday	1,060	1,060	6½c. @ 10c.
Saturday	1,060	1,060	6½c. @ 10c.
Monday	1,060	1,060	6½c. @ 10c.
Tuesday	1,060	1,060	6½c. @ 10c.
Wednesday	1,060	1,060	6½c. @ 10c.

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The Kansas Free-State Party.

The Tribune is one of the "outspoken friends of free Kansas"—whatever that unpronounceable phrase may mean. It takes great credit to itself for not being "false to Liberty, treacherous to Humanity," and threatens serious censure of the Times for "impeaching the motives of the Free-State Party in Kansas as factious and unfaithful, because of their repeated refusals to vote at elections held under Pro-Slavery auspices by officers whom they know to have derived their authority from the most audacious frauds, wherever those officers were at once convicted and beneficiaries." We are not especially anxious to avoid the Tribune's censure, but we are quite willing to sustain our position. We *do* consider much of the action of the Free-State Party in Kansas as not only factious, but suicidal. That Party, like the Union as a Slave State. That Party, like the Tribune, is committed to the prediction that Slavery is to be forced into Kansas: and we are compelled to regard very much of its action as apparently designed to fulfill the prediction, rather than to avert the evil.

The Tribune insists that the Free-State men could not vote, because they could not recognize the Territorial authority,—which had its origin in fraud. Why, then, did they vote in October? They waived this objection then,—upon what ground of principle can they revive it now? The elections, says the Tribune, are "simply provided for by her laws,"—and will have no difficulty in finding certified upon which she can bestow the proceeds of her look without any ink of having thrown

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Miss Anthony and the Children of Mor-

MARY.—We cannot answer the Mortals, Va., Jan. 21, 1856. question. Ask your physician or apothecary.

Our advices from Kansas this morning indicate that, notwithstanding the determination of the Free-State Convention not to vote, enough of the party did vote to carry both branches of the Legislature, elect their delegate to Congress, and come within 200 votes of electing their Governor! Can anything further be needed to show that they could have rallied in full force at the polls?

We earnestly hope and believe that Kansas

Financial Matters yesterday were active and firm at steady rates. Wheat was very freely offered and purchased, however, at somewhat lower rates. Provisions were in fair demand and prices were sustained for all articles, which readily favored buyers. Cotton was somewhat depressed for at fall, and Tobacco and Sugars were in steady request. Freights were quiet, but unchanged. Exchange was dull and heavy, with a decline of ½ a ¾ per cent. Gold was in fair demand, and sold at a premium of ¼ a ⅜ per cent. Stocks were dull and heavy, and prices generally lower. Cumberland coal was the only exception to the general decline, and sold at an advance of ½ per share. Chicago and Rock Island Railroad shares were also in demand, and sold at an advance of ½ per share. Illinois Central Railroad shares were in demand, and sold at an advance of ¼ per share. Canton Company shares were also in demand, and sold at an advance of ¼ per share. Pacific Mail Steamship Company shares were in demand, and sold at an advance of ¼ per share. Reading Railroad shares were in demand, and sold at an advance of ¼ per share. Cumberland coal shares were in demand, and sold at an advance of ½ per share. Michigan Southern Railroad shares were in demand, and sold at an advance of ¼ per share. Illinois Central Railroad shares were in demand, and sold at an advance of ¼ per share. Canton Company shares were

Mr. Aspinwall's Murillo.

During the last few years the public taste of this country, and particularly of this City, has undergone a development so manifest, as it is delightful to all true amateurs, who are also true patriots. Admitted, as it long ago deserved to be, in the exclusive republic of Mammon, we never, it is true, strive to entertain Apollo and the Muses in no unseemly manner; and, if our native production of pathetic works has not kept pace with the advance of our power and our wealth, we at least have no reason to be ashamed of the progress which we have really made. While the class of money-lovers and money-getters has been growing enormously in the lands heretofore specially dedicated to art and to the amenities of life, the class of money-spenders has been growing in America quite as fast, perhaps, as should be wished; and as money-spending, like all other occupations, is susceptible of indefinite improvement, the spirit in which we spend our money is regularly, but very surely, rising with every year. For the last three months we have sustained respectably, if not liberally, four considerable exhibitions of paintings, all of a high class, in this City; and while the latest and freshest of these collections is still appealing to the sympathies as well as the tastes of the public in the name of charity, we find a fifth saloon thrown open on the same double plea. Messrs. Williams & Stevens have given the use of their showroom to two excellent institutions, the Home of the Friendless, and the Society for Befriending the Children of Seamen, for the exhibition of a single work of art by one of the authentic "great masters," which has been generously put at their disposal by the liberal and tasteful owner, Mr. W. H. Aspinwall. Murillo's picture of the "Immaculate Conception" merits in every way the distinction thus accorded to it. It is unquestionably the finest original painting of its class ever brought to this country, and ought to do its share toward making the whole brood of "copies" as odious here as they are now esteemed to be everywhere out of England and America.

Although the discussions which resulted in, and followed from the publication, by Pope Pius IX., of the dogma of the "Immaculate Conception," ought still to be fresh in the minds of our readers, we do not believe that we shall do them a disservice by briefly explaining the *motive* of this picture, which is liable to be, and no doubt already has been, confounded with the more familiar pictures of the "Assumption." The doctrine that the Virgin Mother was herself conceived without the taint of mortal sin, though strenuously held throughout all the history of the Church, and preached with fervor at all times, and especially by the Order of the Franciscans, was never formally recognized by any Pope till the observance of the Feast of the Conception was sanctioned by Sixtus IV., just about the time of the discovery of America, and it has never been incorporated very thoroughly into the popular creed of any Catholic country excepting Spain. It has accordingly been not only a specific but almost an exclusive subject of Spanish art, and the pictorial canons of its symbolization were laid down first in 1618 by the Spaniard Pacheco. The Virgin conceived without sin was to be represented, according to these canons, as a young girl of twelve or fourteen—a pure and spotless rosebud of womanhood, a creature of stainless light, like that woman seen in the Apocalyptic vision who was clothed with the sun and, standing upon the crescent moon, was crowned with twelve clear stars. Cherubim were to hear her up, and tender ly to bend over her from above, weaving about her the spells of the lily and the palm. Her tresses were to be of a fair golden hue, her robes of white, her mantle of cerulean blue. She was to symbolize, in all respects, that sinless second Eve, who was the destined Mother of Salvation, as the first of Death, and far beneath her the bruised serpent was to writhe in hopeless anguish.

This idea is preserved in most of the finest pictures of the Conception which exist, and particularly in those of Guido, four of whose best works are consecrated to this theme, and who stands almost alone among the better Italian masters in treating it. The same characteristics, in the main distinguish the much more numerous attempts of Murillo to do honor to "*Maria purissima sin pecado concebida.*" Twenty-five pictures of the Conception, by his hand, are known to exist. They are of all sizes, from the superb Seville picture "Conquered" by Soult, and bought at the sale of his gallery in 1852 by the French Government, for the enormous sum of $122,500, down to an exquisite gem in the possession of Lord Overstone, at London, and of very various merit. But Mr. Aspinwall has been fortunate enough to secure one of the best, and possesses a picture most agreeable in its proportions, admirable in the design, and masterly in color. Its original destination we cannot now recall, but it was for a long time one of the ornaments of the royal gallery of the Prado, at Madrid, from which it was stolen—we beg his pardon—*obtained* by General Dessolle during the French occupation of 1808, and by him sold to Woodburn of London, a man dear to all connoisseurs in more than one sense, from whom it was purchased by William II., of Holland, for his private gallery at the Hague. As there exhibited, in a clear, soft light, it was one of the best imaginable specimens of the master's most peculiar merits. The flesh tints are pervaded by the luminous quality in which Murillo delighted, and which made Sir D. Wilkie say that he "washed his bodies in sunlight"—the harmonies of the draperies are as marvelous as those of the famous picture, which everybody knows, in the Louvre, and the expression of the face of the Virgin is greatly more refined and spiritual, without being less tender and human than is usual with Murillo's women. The painter has departed from the conventional type in clothing the lovely head of Mary with long dark tresses; but it is hard to quarrel with him on that score, since the heresy is a fancy of parental affection. The Virgin in this picture, as in another very beautiful repetition of the same subject in the possession of Lord Ashburton, is a portrait of Murillo's own daughter Francesca, whom he devotedly loved, like a true man as he was. The inclination of the painting in its present position conspires with the abominable influence of the gas-light to thicken and discolor the atmospheric effects, and little but the sentiment of the composition can be fairly appreciated by those who have never seen it in other circumstances. Still, for the sake of the poetic value of the picture alone, we earnestly urge it upon all our readers to embrace this opportunity of teaching themselves a precious lesson while they do a good work.

We hardly know whether to take the trouble to contradict a ridiculous story which has obtained circulation to the effect that this picture was bought at the sale in the Hague for the sum of $30,000. The price of such a picture is of small importance to our public; but such preposterous stories smack of a kind of barbarism in our taste from which it is, perhaps, worth while to vindicate ourselves.

The pictures of William II. were sold in 1850 by order of his son, William III., for the purpose of paying the debts which he bequeathed. The sale occupied several days, and was extremely interesting. Russia, France, Prussia, Saxony, and other States appeared, by their agents, in a sharp rivalry with individual amateurs, of whom the most conspicuous was the English Marquis of Hertford, and the scene for several days was as brilliant and exciting as an Olympian game. The highest price paid for any picture was $20,000 for a *chef d'œuvre* of Leonardo da Vinci, (whose works are extremely rare,) knocked down to Russia after a fierce contest with France and Lord Hertford. Another masterpiece, by Andrea del Sarto, was carried off for $16,000 by Lord Ellesmere, after a "free fight" with all Europe, which was so prolonged and evident that, before the buzz which followed the decision had subsided, a splendid Salvator was knocked down, almost unobserved, for $150 to a lucky Londoner. *The Murillo now owned by* Mr. Aspinwall was bought, if we mistake not, by a Mr. Roos, of Holland, for about $14,000. What Mr. Aspinwall may have given for it we do not know, but certainly he cannot have thrown upon it a sum which not even a House of Commons Committee would think of suggesting.

Academy of Music.

After a season of unprecedented effort and vicissitude, the regular performances at this house came to a close last night. And it was a triumphant close. The house presented a gorgeous appearance; filled in every part with the fashion, beauty, talent, and everything else of the City. Altogether it was a better assemblage than we have seen this season, and a better paying one, we fancy. The performance was "Don Giovanni," and it was given with an effect that added to the regret attendant on the temporary suspension of the season. It is good management to leave this impression on the public mind, and it will benefit Mr. Ullman next season. The activity displayed by this gentleman deserves commemoration, and a brief summary of the doings of the season may not be uninteresting. Sixty-four performances have been given in all; of which 50 were of Italian Opera; 4 of German Opera; 5 of Oratorios, and 4 of a miscellaneous character, such as the Thalberg Festivals, and the Benefits of the Fire Department, &c. The Operas produced were the "Sonnambula," "Norma," and the "Puritani," by Bellini; the "Trovatore," "Rigoletto," "Traviata," and "Ernani," by Verdi; the "Barber," "Semiramide," and "Italiani in Algieri," by Rossini; "Lucrezia Borgia," the "Elisir d'Amore," and "Lucia di Lammermoor," by Donizetti; "Martha," by Flotow; "Fidelio," by Beethoven; "Robert le Diable," by Meyerbeer; and "Don Giovanni," by Mozart.

The pecuniary result of the season is, we believe, satisfactory. If Mr. Ullman has not made money he has at least paid his way, and obtained a valuable and admirable theatrical wardrobe. He feels himself justified in applying for an extension of his lease, and at the approaching meeting of the stockholders will propose to take the house for an extended term of five years. A period like this is necessary for a manager to turn himself in. By engaging his artists for one or two years *instead of as many months*, he obtains them at a vast reduction, and secures better artists. Mr. Ullman certainly deserves well of the public and of the stockholders of the Academy, whose property he has greatly enhanced in value. For instance, last night seats were sold at four and five dollars premium.

Amateurs' Concert.—The charitable concert by Amateurs takes place to-night at the Baptist Church, corner of Fifth-avenue and Thirty-fifth-street. Miss Secchi, Mrs. Beckers, Miss Andrus, Signor Alaimo, Signor Manzocchi and others will assist.

Mendelssohn Union.—A rehearsal of "Jeptha and his Daughter" will be hele to-night by this Society at the Home Chapel, Twenty-ninth-street, near Madison-avenue.

Niblo's Garden.—Mr. Dan Rice, the humorist, has recovered from his indisposition, and will resume his duties in the arena.

Laura Keene's Theatre.—The drama called "*The Lighthouse*," *written by Mr.* Wilkie Collins, for Mr. Charles Dickens, and played by the distinguished novelist and other literary celebrities, with great success, will be produced here. It has been a long time in preparation.

Wallack's Theatre.—We clip the following from a Pittsburg paper:

"'The Poor of New York' is the taking title of a play in five acts which has had a continuous run of forty nights at Wallack's Theatre, New-York, and is still being played nightly to immense audiences, eliciting an enthusiasm never before equaled in that excitable City. It is also being played nightly to crowded houses in Philadelphia, Baltimore and Boston, and is underlined for immediate representation at the theatres of Cincinnati, Chicago, Louisville and St. Louis. It is thus rapidly obtaining a national reputation unparalleled in the dramatic history of the country. Therefore it is not strange that the Manageress of the Theatre was on the alert to give it early production here—and having such a reputation she has a right to expect it will meet with a similar success in this city. It was produced for the first time on Saturday evening and created quite a *furore*.

Ticket Swindling—Picking Pockets and Confidence Operations.

The new efforts of the Superintendent of Police to put a stop to the impositions in the way of ticket-swindling seems to have given new life to the whole fraternity of scoundrels who thrive by this kind of villainy. From thirty to forty tickets were sold to various persons at enormous swindles; several persons had their pockets picked on board the steamer as she was on the point of sailing, and on Tuesday and Wednesday several successful confidence operations were practiced upon outgoing Californians. An old man from Muskingum County, Ohio, who came here with a young man named Erastus F. Riley, from the same county, was taken to the office No. 109 West-street, and with his friend swindled in the price of two tickets out of $110. The robber has kept out of sight since, and the old man has been compelled to abandon his trip and return to Ohio. He gave all his remaining funds to make up enough to pay his friend's way on the steamer. The bogus venders of tickets charged from $150 to $200 for a steerage passage, according to the verdancy of their victims. In some cases the officers, when they saw these greenhorns in the hands of the swindlers, informed them that they were being misled, and pointed out the genuine office, at the same time exhibiting his shield; but the only thanks he received for the information was the astute statement: "I 'spose I can buy my ticket anywhere I please!" Afterwards, however, when he found he was really taken in, he sought out the same officer and wished to know how he could get his money back! but the officer was not communicative.

Two persons were respectively cheated out of $100 and $20 each by the confidence game. A man from Portland, bound to California, met an agreeable person on the street, who fell into conversation with him. By *accident* the stranger mentioned that he was going to San Francisco; the Maine man was delighted to hear it—he was also going by the *Star of the West*. He was then on his way to purchase some harness, and would like his friend to assist him in selecting it. Greenhorn agreed. After walking a few blocks, he stepped into a policy shop where "Exchange" was written on the window, and handing out a $100 bill on the *Safety Fund Bank*, desired small bills for it. They had none in the office, and both again walked on. Confidence now turned to his new acquaintance, and asked him if he would let him have a hundred dollars in gold, and take the bill for a few minutes until he could make his purchase. "Most willingly," said the Maine man, and he counted out the gold, taking the bill. At the next corner he missed his new acquaintance, and has not seen him since. The Pine-tree man thinks his friend was dishonest. The man who lost $20 went through the same process. Both have gone to the diggings with their confidence in mankind badly shaken.

One person, who had his pocket picked on board the boat, lost his tickets. Mr. Wheeler took pity on him, and gave him duplicates.

Mr. Ratchop has received information that there are a number of fugitives at Aspinwall waiting to get away. They had Aspinwall tickets swindled on to them here for through tickets, and did not discover their imposition until getting to Aspinwall.

Sailing of the "Star of the West."—The United States Mail steamship *Star of the West*, Capt. Gray, sailed for Aspinwall yesterday at 2 o'clock P. M., with the California mails, and about 350 passengers, there being the usual number of women and children. Ex-Gov. Anderson, of Maine, and Gen. Whaley, Government officials, and Major Cross, and R. L. Ogden, Quarter-masters, were among the passengers.

Later from Havana.

ARRIVAL OF THE BLACK WARRIOR.

The United States Mail steamship *Black Warrior*, J. W. Smith Commander, *from New-Orleans* 19th, and Havana the 18th inst., arrived at this port *early yesterday morning*.

Part of the Spanish fleet, viz: 1 frigate, 1 ship-of-the-line, 1 sloop 1 brig, and 1 steam frigate, sailed from Havana on the 12th inst., for a cruise in the Gulf, for the health of the crews, but a rumor is afoot (though not generally credited) that Santa Ana is on board, and that the real intention of the cruise is to pay their respects to the Mexicans at Vera Cruz.

The United States steam-frigate *Wabash* arrived at Havana on the morning of the 15th. She has on board Captain Frank Anderson, and his command of about 40 men, *the last of the Nicaraguan heroes*.

The weather continues very warm. Business dull.

Exchange on New-York short *time* 5@7 per cent. premium; London 118@120 per cent.

The *Warrior* brings $82,000 in specie from Havana.

NICARAGUAN AFFAIRS.

Letters from Senor Yrisarri to Secretary Cass—His Views on the Capture of General Walker.

The Washington *Union* of yesterday publishes divers official communications from Señor Yrisarri the Nicaraguan Minister, to General Cass, on Central American affairs. The two which we subjoin, being the latest, alone contain anything of fresh interest or importance. It will be seen that Señor Yrisarri, in behalf of his Government, makes no complaint of the action of Commodore Paulding, but thanks the Government of the United States for effective assistance. The following are the Minister's letters to Secretary Cass:

[Translation.]

Legation of Nicaragua, Brooklyn, Dec. 13, 1857.

Excellent Sir: After giving notice to your Excellency, by the telegraph, of the landing of Walker's *hostile expedition on Punta Arenas, without the prevention* of such landing by the armed vessels of the United States, or even the overhauling of the *Fashion*, laden with men and arms, I have deemed it proper to call your Excellency's attention to the fact, already long announced, that another expedition is now ready at Mobile, and about to sail thence to reinforce that which has succeeded in landing on the territory of Nicaragua; and that the person called Gen. Henningsen has lately gone from New-York to New-Orleans to accompany this reinforcement.

I trust that the Government of the United States will take all such measures as may be necessary; to the end that this reinforcing expedition, as all others which it may be intended to set forward, whether from California or from any other point of the Union, may be detained and not be allowed to continue baffling the measures of the Executive power. I further trust that proceedings will be instituted against the violators of the laws of neutrality with that rigor which is required for the maintenance of peace and of fair understanding between friendly and neutral nations.

With very high consideration, I reiterate the assurance to your Excellency of my being your very respectful and obedient servant,

A. J. DE YRISARRI.

Hon. Secretary of State of the United States, &c.

Brooklyn, Dec. 30, 1858.

The undersigned, Minister Plenipotentiary of the Republic of Nicaragua, has the honor of communicating to his Excellency the Secretary of State of the United States, that, on the 15th of last month the authority of the Republic of Nicaragua was assumed by General Martinez, elected to the Presidency by an immense majority of votes, and that one of the first acts of the new head of that Reoublic was to confirm the appointment made in the person of the undersigned by former national Governments as Envoy Extraordinary and Minister Plenipotentiary to the Government of the United States.

The undersigned deems it also to be his duty to inform his excellency the Secretary of State that the constituent assembly of Nicaragua has approved and confirmed the contract made by the undersigned with the American Atlantic and Pacific Ship Canal Company, the only one vested with the privilege of carrying across the isthmus—as the only one also which, for the present, so long as the Government will not have otherwise disposed, has the right to carry emigrants to that country, under such conditions *as have been imposed on said company*. All other emigrants or colonizers whatsoever that may be conveyed to that country will be denied admission, and compelled to depart from the Territory of the Republic; or they will be dealt with as enemies *of the Republic, should they appear there in the* character borne by those lately introduced by the incorrigible adventurer William Walker.

The undersigned, in the name of the three governments which he represents, returns thanks to the government of the United States for having taken away the adventurer William Walker and his invading band from the point of which they had taken possession on the coast of Nicaragua; thus freeing those friendly countries from the evils with which they would have been visited had these disturbers of the peace of nations been allowed the possibility of increasing their forces by new recruits. Those, who in the service which the government of the United States has rendered to its friend, the republic of Nicaragua, would seek for a warrant to say that the Nicaraguan territory has been violated, will hardly find it, from the moment that the world will have learned that the Government of Nicaragua, far from complaining of a violation of her territory, looks upon that act as an assistance, directed in behalf of its inviolability, which was wounded, in effect, by certain adventurers from the United States; and that it considers such assistance, extended by this Government, as a consequence af the measures whicu, by his note of the 14th of September last, the undersigned had asked this Government to adopt, giving orders to the Navy of the United States to capture the violators of the laws of neutrality.

The point from which Commodore Paulding forced away those bandits, the violators of the laws of all *nations, and, as such, justly assimilated, by the law* of nations, to pirates and foes af mankind, is an almost desert one, on which there exist no Nicaraguan authorities that could have managed the apprehension of those felons. Nicaragua, therefore, considers *that the proceedings of Commodore Paulding against* Walker and his horde were entirely justifiable; for, as a man-of-war of any nation may take up pirates from a desert island, or one so thinly peopled that they can assert their dominion over it, although that island might belong to another sovereign nation, just so can bandits be apprehended, as enemies of the human race, by the armed vessels of a friendly nation, on a point of a foreign coast, which may be placed under circumstances like to those of the island mentioned by way of illustration.

Considering it highly important that the tenor of this note—especially the portion touching emigration to Nicaragua—should be made public, the undersigned would entertain the hope that the Secretary of State will find no objection to have its contents published.

The undersigned, with highest considerations, has the honor of tendering to the Secretary of State the renewed assurance that he is his respectful servant.

A. J. DE YRISARRI.

Hon. Lewis Cass, Secretary of State, &c., &c.

A Fool and his Money, &c.—A Drover Loses $800.—A cattle-drover named Leigh, from Steuben County, New-York, was robbed near the Ferry in Hoboken, on Tuesday night, of about $800 in bank bills, the proceeds of a drove of cattle that he had sold in New York on Monday. He had been drinking freely, and had indiscreetly exhibited his money in several bar-rooms. He was in at the Hudson County Hotel, near the Ferry, during the evening, and there spread his money out upon the bar, and challenged some persons who were present to throw dice with him "for $20 a pop." His proposition not being accepted, he soon left, but had been gone only a short time when he returned, and complained that he had found customers who had thrown him, (instead of the dice,) and relieved his pocket of about $800. He said that four men attacked him—three of them held him, whilst the fourth thrust his hands in his pocket and took the money, and then all ran away. Three young men were arrested upon suspicion of being concerned in the robbery, but were subsequently discharged for want of evidence against them.

Personal.

The Philadelphia *News* of yesterday says: Thomas Allibone, Esq., the ex-President of the Bank of Pennsylvania, arrived at Walnut-street wharf yesterday afternoon, on his return home from his European tour, which was taken for the benefit of his health. He was met at the steamboat landing by a number of his friends.

Hon. Edward Everett has arrived in town and taken apartments at the Everett House.

Found Drowned.—John Groshan, a colored man, on Tuesday night, while intoxicated, accidentally walked off the Pier foot of Spring-street, N. R., and was drowned. The body was recovered yesterday and the Coroner notified.

The Robertson Trial.

On Monday, at the trial of John B. Robertson, in Rochester, the consolidated evidence for the defence was put in, and the prosecution followed with rebutting testimony.

Evidence for Defence.

In relation to the claim of defence to introduce evidence of Mrs. Hart's relations with Dr. Bressee, (the point in dispute on Saturday,) the Court decided it to be inadmissible, on the ground that the testimony *sought to be introduced seemed to be merely unnecessary* personal scandal, which is not properly connected with *this case. If it was sought to be denied* that Mr. Hart and Dr. Bressee, it might be pertinent; but so far as proving that young Bressee spoke the truth, it is not proper. The evidence on that point was therefore excluded. Defence directed to have an exception noted.

The following tends to show an *alibi*:

John Crombie sworn: Resided on 20th August last in this city; was a Director of the Eagle Bank; Wm. *H. Cheney was President, John B. Robertson* Cashier; I was appointed a Committee to count the cash and examine the affairs of the Bank, to report at the quarterly meeting 1st September; noted as such, I think, on the P. M. of the 20th of *August*; commenced at about half-past five, and continued about three-quarters of an hour; *Robertson was at the Desk at the time*, and Mr. Cheney; left after the counting was concluded. Mr. Robertson and Mr. Cheney being still in the Bank; the count should have been made on every instance, on Friday evening, but it being inconvenient for myself and Mr. Danforth to attend, we did it on Saturday; some of the books have since been burned; there was a discrepancy of a few shillings, and referring to Mr. R. for explanation, he said it was caused, probably, in counting foreign coin; (the question was put whether the witness had looked at the books subsequently with reference to that discrepancy, and the prosecution objected to it, unless the witness saw the memorandum or made it himself:) Mr. Crombie said he *made a memorandum himself, as he always does* in such cases, comparing it afterwards with that of the Cashier, and then putting it in his own pocket; when spoken to, after Mr. R.'s indictment, as to the recollection of the evening, he referred to the memorandum of the discrepancy and found it to occur on the 20th August.

Wm. H. Cheney, sworn: President of the Eagle Bank, *on the 20th August last*; remember the occasion of the counting of the money by Danforth and Crombie; *it was on Saturday, 20th August; I was present*; count was concluded about quarter past six; both Crombie and Danforth left before me; Robertson was present; I had not been to tea; went home to tea afterward; live about a mile from the bank; went back to the bank after tea; *found Mr. Robertson there*; been absent three quarters to an hour; remained at the bank; *Mr. Robertson with me*; went to the post-office from the bank; my impression is the post-office was closed; had been examining the books preparatory to a quarterly report; George Hawley, the boy, came into the bank in the evening while we were there, and inquired if he should light the gas burner in front of the vault, which is usually kept burning all night; Mr. Robertson remained in the bank during the whole time I was there; think he left with me.

The probabilities of overhearing conversations through a door, are set forth by other witnesses, as follows:

Henry Searl, recalled and examined by Mr. Martindale—During this noon I have been subjected to a test to see if I could distinguish voices; stood outside a door, with my head near it; heard two persons converse on the other side of the door; supposed one was Perry, and the other voice I did not know; when the door was opened, saw Mr. Tate and Mr. Benedict; this was in the Arcade; have known Mr. Benedict four or five years, and Mr. Tate something about four years; have been employed by Mr. Benedict as an architect; *did not know either of their voices*; knew Perry very well.

Cross-examined by the District-Attorney—Recognized Mr. Martindale's face at this same time; did not see him; Mr. M.'s voice is not more peculiar than Mr. Robertson's; the talk continued there three, four or five minutes.

George Tate, sworn and examined by Mr. Martindale: Was present at this experiment; have known Mr. Searl since 1850; have employed him as an architect; while Searl was on one side of the door, and I on the other, the door was open six inches; Perry did not speak a word; myself and Mr. Benedict did the talking.

Cross-examined by Mr. Martindale—Went there at Martindale's request; inquired of Benedict, "Wm. C. Bryan, how is your family?"; Benedict answered, "They are well, Sir"; I said, "Does your wife continue her school?"; he said, "Yes"; I then asked, "How many scholars has she?" he answered, "Forty or fifty"; *this was all.*

Selah Matthews, sworn and examined by Mr. Martindale: Was present when this test was tried; knew that the parties did not know who was talking; did not recognize Mr. Benedict's voice.

The Posecution now proposed a test of the facility of witnesses to identify Robertson by the sound of his voice, and asked that he read passages from a volume. The Defence objected unless the witnesses to the interviews go into a closet and listen *with a door between them.* Then if they can identify Robertson's voice from those of others, who will read at the same time, the test will be regarded as a proper one.

The test was not further urged.

Rebutting Testimony.

Mrs. Jane Elizabeth Bryan sworn: Resides in this city; know Mrs. Robertson; during last Summer was at Dr. Biegler's house, on St. Paul-street; had heard of *Mr. Robertson's having been to New-York*, and had heard of his return; it was the day previous to my being at the Doctor's that he returned.

Q.—Did you see Mr. Robertson there? [Objected to.] Mr. Matthews said it was part of their case.

*Mr. Tremaine said it was a part of the case as re*butting. The design is to prove that he called to leave a message for Dr. Biegler during his absence, and informing him that he would be there again that evening. By way of repelling the evidence tending to show that he was not there, they claimed the right to produce testimony tending to show that he was there. This is distinct and pertinent.

Mr. Selden said the prosecution attempted to prove that he was at the Doctor's on a certain evening, and there committed the crime charged. On that they produced all the testimony they had, and the defence replied to it. The prosecution had no right to introduce new testimony now; they should have exhausted their testimony in the first place.

The Court ruled out the evidence as cumulative. This is the same class of evidence as that of Putnam and Miss Biegler, and this is merely additional.

The District-Attorney said he was satisfied. This evidence the prosecution did not know of until this morning, or they would have introduced it before.

Mr. Martindale said, if he had been introduced the defence would have furnished plenty of explanation, and by the people's evidence.

The District-Attorney proposed to call witnesses to prove that the course pursued by Biegler was in consequence of advice given by certain parties.

The Court thought this would be pertinent by way of meeting the assumption of conspiracy on the part of Beigler, and to disprove the *alibi* set up by the defence.

*The Court renewed its suggestion that the de*fence concede that the witnesses acted under the direction of the public authorities, and not at the instigation of Beigler. That the scheme of manufacturing evidence in this way was not his.

The defence were understood to decline.

The Court decided that the People might show that the contrivance of getting these four men into the position to overhear conversations, was gotten up by the public authorities. They might show this by Mr. Oviatt and the District-Attorney; the declarations of Beigler on the subject would not be admitted. [Exception noted.]

Mr. *Tremaine*—The prosecution proposes to show negatively, by Beigler, that he never yet got up or carried out any scheme whatever in regard to this defendant; also, that he never communicated, or caused to be communicated to the public authorities, the application made to him by defendant in reference to his wife; also, affirmatively, that the whole scheme of procuring these witnesses, was the work of the public authorities, and without, in the first instance, the sanction of the witness.

The defence objected.

It was agreed that witness be called and questions put, the Court ruling in regard to them as they might arise.

Dr. Joseph Biegler recalled, and the question put: In what manner the witnesses Oviatt, Cooper, Mc*Lane and Searl, were procured to come to your* house? [Exception noted by defence, the Court admitting the question.] A.—By Mr. McKay and the District-Attorney.

Q.—Will you state fully how that was brought about? [Objected to. Allowed by Court, so far as acts and agencies were concerned, and not the declarations of the witness. The Prosecution designed to have the witness trace the *modus operandi*.] The Court allowed this question to be put: "By whose contrivance were the witnesses procured to go to your house?" Exception noted.] A.—The first suggestion was received indirectly through Mr. Bishop, the second from the District-Attorney.

Q.—Who communicated it to you? A.—Dr. Havill.

Q.—In consequence of this indirect suggestion from Mr. Bishop, what witness appeared? A.—Mr. Oviatt.

Q.—Who gave directions, in respect to each and every of the other witnesses? A.—The District-Attorney, Mr. Huson.

Q.—Did you consent to the communication being made to the District-Attorney in the first instance? A.—I did not. [The Court thought that rather a questionable interrogation. The defence desired to have an exception noted to each one of the questions thus far asked. The Court framed the question: Did he cause or assent to the communication to the public authorities? A.—No, Sir. Exception noted.]

Q.—Did you ever learn the family history, or any part of it, of Mr. Robertson, from your father? [Objected to and argued by Mr. Tremaine and Mr. Martindale. The question was admitted by the Court.] A.—None, except that Mrs. Robertson was sick; that is all I ever heard from him.

The prosecution wished to ask no more questions.

Mr. Martindale—(confidentiously)—we don't want anything of him. You can go.

District-Attorney Huson and Officer Oviatt were recalled, but nothing of moment was elicited.

The prosecution again rested.

Legal Points.

The District-Attorney said the Attorney-General would sum up the case for the people. Mr. Mathews said the public prosecutor should elect on what charge they would claim conviction, so that the defence might know what they had to meet. Mr. Tremaine had looked carefully at the indictment, and but one offence is charged—the attempt to take the life of Mrs. Hart. The statute, as it stands, is an offence, and the statute coincides with the common law.

Mr. Mathews said one count in the indictment charged the subornation of young Bressee to commit the crime. A misdemeanor and a felony cannot be united. He cited from the statute to show, what the law provides in cases of attempt to commit certain crimes. The attempt to poison, which is inexpugner, or fails, may be punished by imprisonment in the State Prison, not to exceed ten years. By common law, an attempt to commit an offence is a misdemeanor, and not a felony. All the counts in this indictment except the third, charge an attempt to administer; the third charges the administering of a "destructive thing." The statute says nothing about "destructive thing," but speaks of "poison." Another count mentions "deleterious substances"—not poisons. The solicitation of certain destructive things is charged, and he is charged *with an attempt to administer certain things* which he didn't get—not a logical construction. There is the attempt to injure or produce death, and the attempt to corrupt the mind of Beigler, the latter at most a misdemeanor, which cannot be joined with a felony, according to *old rules of pleading* which have come down to us. This is the foundation of the application to the counsel to elect. At all events, the defence should know what they are to meet. Certain of the counts are good for nothing, and he should move to quash them.

The Attorney-General argued that the offences charged are substantially the same, and this is not a case in which it is usual to compel an election. Cited Wharton's Criminal Law, on this point. The statute defines the attempt to be when any act is done towards effecting the object. Solicitation is one act as set forth in 1st East., and is, therefore, a felony. There is a case reported in which this ground was taken, and the Revisers of the Statutes adopted that as settled by the concurrence of the four Judges making the decision; they raised he misdemeanor at common law to a felony. It is too late for counsel to move to quash the indictment or any count in it, and if the last count specifies a misdemeanor only, it only gives ground for a demurrer for a misjoinder.

The Court reserved its decision, and adjourned.

Verdict of Acquittal.

[BY TELEGRAPH.]

Rochester, Wednesday, Jan. 20.

The charge of Judge Smith to the Jury in the Robertson case occupied an hour and a half in delivery. The case went to the Jury at a little past 11½ o'clock, and about four hours afterwards they returned with a verdict of "Not guilty." Great excitement followed the announcement of the verdict.

Murderous Use of a Shot Gun.—Two Men Shot.—Henry Herrman, a German keeping a disreputable house at No. 267 Eighth-avenue, was arrested about 1 yesterday morning, charged with shooting Frederick Becker, of No. 317 Ninth-avenue, and Edward Lattemore, of No. 227 West Thirty-third-street. The two men attempted to get into Herrman's place, but finding the door locked went away. When some twenty feet from the door Herrman shoved up a window, and fired at each of them, with a double-barreled shot gun, both barrels being loaded with buckshot. Thirty shots, more or less, entered Lattemore's back, covering a space of less than six inches square, and fifteen shot entered the back of Becker's head and neck. The wounded men were at once conveyed to the Twentieth Ward Station-house, and Dr. Kissberg called to dress their wounds, which probably will not prove fatal in either case, as the shot did not enter very deeply. When the officers went to arrest Herrmann he had both barrels of his gun reloaded and capped, and threatened to shoot them if they arrested him, but the exhibition of two or three revolvers quieted him. Herrmann has long been known to the police as a desperate and ugly customer. On the 3d of last July he shot several persons, and was shot by an officer before he could be arrested.

Deaths and Casualties.

Death from Burns.—Coroner Connery held an inquest yesterday, at No. 480 Madison-street, upon the body of Anna Walsh, a child three years of age, who died from the effects of burns received the evening previous. The mother had left the deceased and an infant sister in the room together, and on her return found the room filled with smoke and the eldest child fatally burned. How the fire originated could not be ascertained. The cradle in which the youngest child was sleeping, was considerably burned, but the child escaped. A verdict was rendered in accordance with these facts.

Death from Drowning.—An inquest was held yesterday, by Coroner Gamble, upon the body of an unknown man, about 50 years of age, who was found drowned at the foot of Pier No. 6 East River. The deceased had on two pairs of pantaloons, a drab vest, buttoned to the chin, and a black coat. He was about five feet nine inches in height, and had dark hair and whiskers. The second finger of his right hand had been amputated, and on his left arm, in India ink, were a blacksmith's anvil and hammer, and underneath, "J. H. D., born 1805." There being no marks of violence on the body a verdict was rendered of "Supposed accidental drowning."

Sudden Death.—A butcher named Benjamin Isaacs, *having a stand at Washington Market*, was taken suddenly ill at his stand yesterday morning, and fell dead to the floor. The deceased resided at No. 157 West Sixteenth-street, and has left a wife and several children. The Coroner will hold an inquest on the body to-day.

Fatal Fall from a New Building.—Stephen B. Young, a machinist, 24 years of age, died yesterday morning at the City Hospital, from the effect of injuries received the day previous by falling from a new building erecting for Singer & Co., in Mott, near Spring-street. The deceased, with some others, was engaged in hoisting a heavy iron column, when the rope broke, precipitating him a distance of twenty feet to the pavement. The deceased was unmarried, and lived with his mother at No. 90 Third-avenue. An inquest on the body will be held to-day.

☞ Singer's Sewing Machines.—Clergymen of every denomination can now procure one of SINGER'S SEWING-MACHINES for their own use, or for a charitable Society connected with their respective Churches, upon unprecedentedly favorable terms. For full particulars, write for a circular to I. M. SINGER & CO., No. 458 Broadway, New-York.

☞ Secure your Doors.—The undersigned are manufacturers of the most approved Powder and Burglar-proof Locks for Banks, Vaults and Store Doors. Our celebrated Rotary Lock defies the most ingenious burglar. VALENTINE & BUTLER, Nos. 90 and 92 Maiden-lane, and Nos. 87 and 89 Elizabeth-st.

☞ Exclusive Attention.—CANTRELL, the famous manufacturer of the ladies' 12s. gaiters, has entirely given up his store in the Bowery, and will from hence-forth devote his whole attention to his new store, No. 613 Broadway, where he always has on hand the best and cheapest of boots, shoes, gaiters, slippers, &c.

☞ Prof. Alex. C. Barry's Tricopherous is the BEST AND CHEAPEST ARTICLE For DRESSING, BEAUTIFYING, CLEANING, CURLING, PRESERVING and RESTORING THE HAIR Ladies, try it. For sale by all Druggists and Perfumers.

MARRIED.

Simkins—Royce.—In this City, on Monday, Oct. 19, by Rev. William R. Gordon, Mr. Theodore D. Simkins to Miss Josephine E. Royce, all of this City.

Lee—Scudder.—In this City, on Wednesday, Jan. 20, by Rev. Dr. Phillips, Charles De C. Lee to Julia E., daughter of John H. Scudder, Esq., all of this City.

Burke—Sandy.—In this City, at the New-York Hotel, on Tuesday, Jan. 19, by Rev. P. S. Chauncey, James L. Burke to Josephine V. Sandy, both of Brooklyn.

Field—Schuyler.—At Jersey City, on Sunday, Jan. 17, by Rev. J. W. Wiley, Sherren Field, Jr., of Harrison, N. Y., and Anna L. Schuyler, of Jersey City.

Lyon—Clark.—At Plainfield, N. J., on Monday, Jan. 18, at Grace Church, by Rev. Mr. Coe, Mr. George H. Lyon, *of Brooklyn, L. I.*, to Miss Adeline R. Clark, of Scotch Plains, N. J.

DIED.

Varick.—In this City, on Tuesday, Jan. 19, after a short and severe illness, Mary Varick, aged 55 years, 8 months and 19 days.

The relatives and friends of the family, and those of her brothers, Albert H., John, Geo. S. and Epenetus Doughty, are invited to attend her funeral, from the residence of Albert H. Doughty, No. 32 Allen-st., on Thursday, Jan. 21, at 11 o'clock A. M. The remains will be taken to Harlem for interment.

Coffee.—In this City, on Wednesday, Jan. 20, from a fall, Seymour B. Coffee, in the 26th year of his age.

His friends and acquaintances, and those of his mother, Mrs. Joseph E., and brothers, Wm. W. and Joseph E., and the members of Fire Engine No. 4, are respectfully invited to attend his funeral, from the late residence of his mother, No. 90 3d av., without further invitation, on Friday, Jan. 22, at 1 o'clock P. M.

Jacques.—In this City, on Wednesday morning, Jan. 20, suddenly, Mr. Benjamin Jacques, aged 45 years and 6 months.

The relatives and friends of the family, also the members of E Pluribus Unum Chapter No. 43, O. of U. A., are respectfully invited to attend his funeral, on Friday afternoon, at 1 o'clock, from his late residence, No. 182 West 16th-st., without further invitation. His remains will be taken to Greenwood Cemetery for interment.

Allerton.—In this City, on Tuesday morning, Jan. 19, Charles Henry, youngest son of Geo. W. and M. E. Allerton, aged 1 year and 9 months.

The friends of the family are invited to attend the funeral, on Thursday morning, at 11 o'clock, from No. 20 West 20th-st.

Clarkson.—In this City, on Tuesday morning, Jan. 19, Anne Maria Kay, daughter of the late Thomas Streatfield Clarkson.

The relatives and friends of the family are respectfully invited to attend the funeral, on Thursday, Jan. 21, at 10 o'clock, at Trinity Church, Broadway.

Flake.—In Brooklyn, on Tuesday, Jan. 19, sudd

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VOL. VII.—NO. 1,858. NEW-YORK, THURSDAY, JANUARY 21, 1858. PRICE TWO CENTS.

THE COUNTERFEITS!

DESCRIPTION FURNISHED
BY THE
SECRETARY OF THE TREASURY.

MORILLO'S

CELEBRATED POWDER
FOR THE
EXTERMINATION OF INSECTS.

Kills Bed-bugs, Roaches, Ants, Flies, Fleas, Moths, Mosquitoes, Ticks, Chinches, Lice, Worms in Animals, &c.

Sold by Druggists and Grocers.

Depot, No. 48 Cedar-st., New-York.

DE. PERRY, DENTIST, NO. 21 BOND-ST.

Has removed from No. 49 Bond-st. to the above number, where he may be consulted as usual in the treatment of the teeth, from the most trifling operation to the most complicated case. Those who have been waiting for the completion of the new building, will find it worth their while to call at once, as he is now ready to attend to all who may favor him with their patronage.

A NEW AND GREAT INVENTION IN DENTISTRY.

A MODERN HERO presents himself to the world, and asserts that he has discovered a method of filling decayed teeth with a substance which will last as long as the teeth themselves, and which will not change color in the mouth. Any person who has had their teeth filled with gold, knows that in a few years the gold turns black, and makes the teeth look worse than if they were not filled at all. This is entirely obviated by the use of the new material, which is perfectly white, and which will not change color in the mouth. Those who have had their teeth filled with gold, and wish to have the gold removed, can have it done by calling at the office of the inventor, and have the new material substituted in its place. Those who have had their teeth filled with the new material, and wish to have it removed, can have it done by calling at the office of the inventor, and having it done. Those who have had their teeth filled with the new material, and wish to have it removed, can have it done by calling at the office of the inventor, and having it done. Those who have had their teeth filled with the new material, and wish to have it removed, can have it done by calling at the office of the inventor, and having it done.

DR. FRANCIS, No. 1 Bond-st., corner of Broadway, has the honor to announce that he has returned from Europe, and has resumed the practice of his profession. Dr. F. has had the advantage of visiting the principal cities of Europe, and has availed himself of the opportunity to obtain the latest improvements in the treatment of the teeth. Dr. F. has also discovered a method of filling decayed teeth with a substance which will last as long as the teeth themselves, and which will not change color in the mouth. Those who have had their teeth filled with gold, and wish to have it removed, can have it done by calling at the office of the inventor, and having it done. Those who have had their teeth filled with the new material, and wish to have it removed, can have it done by calling at the office of the inventor, and having it done.

DENTISTRY.

A NEW AND GREAT INVENTION IN DENTISTRY, by which the most decayed teeth are rendered perfectly sound and useful organs for many years. Also, the best method of preserving the natural teeth. Also, the best method of filling decayed teeth with gold. Also, the best method of filling decayed teeth with the new material. Also, the best method of filling decayed teeth with the old material. Also, the best method of filling decayed teeth with the new material. Also, the best method of filling decayed teeth with the old material.

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AUCTION SALES.

SCRANTON COAL.
AT AUCTION.
POSITIVE SALE.
THURSDAY, Jan. 21,
H. M. HOFFMAN & CO.
Will sell
At their store,
No. 141 Front-st., Hanover st.,
At 12½ o'clock,
20,000 tons superior Scranton Coal,
Consisting of
Large, Chestnut, Large Egg, Small Egg, Chestnut, Stove and Furnace.
Deliverable on board vessels at the depot of the Delaware, Lackawanna and Western Railroad Company, at Hoboken, N. J., and to be taken prior to the 20th day of February next.
Terms cash. Conditions—Fifty cents per ton, paid the auctioneer, at the time of sale, residue on the delivery of the order for the coal.
The coal will be carefully weighed by a competent weigher.
Purchasers will see they get correct weight, as no deduction will be made after the delivery. Put up in lots of 50 tons, privilege 1,000 tons.
The coal will be delivered in the City, Brooklyn, Williamsburg and Jersey City, at 40 cents per ton freight.

ANDREW J. NICOLAY, Auctioneer, Office No. 4 Broad-st.
REGULAR DAILY SALE OF STOCKS
AND BONDS.—ALBERT E. NICOLAY will sell at the Merchants' Exchange, at 12½ o'clock, at the Merchants' Exchange,
$5,000 Missouri Point Railroad 1st mortgage 6 per cent. Bonds (1875).
$5,000 Missouri Point Railroad 2d mortgage 6 per cent Bonds (1875).
$5,000 Fremont and Indiana Railroad 1st mortgage 10 per cent. Bonds.
$5,000 Western (Ill.) Railroad 1st mortgage 10 per cent. Bonds.
$5,000 New-York State 6 per cent. stock of 1874.
$4,000 Missouri State 6 per cent. Bonds.
$13,000 Indianapolis and Cincinnati Railroad 10 per cent. Bonds.
$5,000 Chicago and Mississippi Railroad 2d mortgage 7 per cent. Bonds.
$10,000 Terre Haute and Alton R. R. 10 per cent. Bonds.
$1,000 Sacramento City 10 per cent. Funded Loan Bonds.
$1,000 North Carolina 6 per cent Bonds of 1854.
$4,000 Chicago, St. Paul and Fond du Lac Railroad 1st mortgage Bonds.
$5,000 Chicago, St. Paul and Fond du Lac Railroad Land Grant Bonds.
$5,000 Milwaukie City 7 per cent. Bonds of 1877.
100 shares Mutual Insurance Scrip of 1853.
50 shares Commercial Mutual Insurance Scrip of 1857, $100 each
50 shares Mercury Mutual Insurance Co., $100 each
50 shares Avenue Fire Insurance Co., $100 each
50 shares Secretary of State, $1,000 each
50 shares Williamsburg City Bank, $50 each
50 shares Continental Bank, $100 each
50 shares Artisans' Bank, $100 each
50 shares Commerce Bank, $50 each
50 shares Pacific Fire Ins. Co., $25 each
50 shares Niagara Fire Ins. Co., $50 each
50 shares Howard Fire Ins. Co., $160 each
50 shares Atlantic Fire Ins. Co., $100 each
50 shares Hamilton Fire Ins. Co., $37 50 each
50 shares Exchange Fire Ins. Co., $50 each
50 shares Metropolitan Fire Ins. Co., $100 each
15 shares Eagle Fire Ins. Co., $40 each
50 shares Howard Fire Ins. Co., $50 each
50 shares Home Fire Ins. Co., $100 each
50 shares New-York Equitable Ins. Co., $25 each
50 shares Lorillard Fire Insurance Co., $25 each
Now Regular Sale NO-MOREOW, (Friday,) Regular Sale of Stocks, Bonds, Notes and other Securities every day at 12½ o'clock, at the Merchants' Exchange. Stocks and Bonds bought and sold at private sale, and at the Regular Board. Interest allowed on Deposits, and dividends collected. A large variety of Securities constantly on hand at private sale.

E. B. FRANKLIN, Auctioneer.
CONTINUATION SALE OF FURS, SKINS, CAPS, &c.—The balance of the stock of a bankrupt concern, removed from Broadway for convenience of sale, JOHN L. VANDEWATER & CO. will sell on FRIDAY, Jan. 22, at 11 o'clock, at their store, No. 66 Nassau-st., a somewhat assortment of the above, all manufactured expressly for Broadway sales, and being of the finest lots of the season, comprising Hudson Bay sables, minks, mixed sable scarfs, ermines, beaver, mountain marten, Stone and cat cardinals, capes, circulars, victorines, tippets, muffs, gloves, mantillas, gents' furs, caps, muffs, gauntlets, chest-protectors, &c., &c. Also, buffalo robes, gauntlets and other robes. Sale positive, by order of assignee, E. A. DEWITT, Esq.

HENRY H. LEDIG, Auctioneer—Salesroom No. 23 Nassau-st.
HENRY H. LEDIG & CO. WILL SELL AT AUCTION on THURSDAY, Jan. 21, at 11 o'clock, at the store of the assignee, No. 23 Nassau-st.,
FINE OLD WINES, BRANDIES, CIGARS, &c.—Part of the stock of the late firm of ——; every article warranted to agree with the catalogue and sample, consisting of very superior old Madeira, of various vintages, from 1830 to 1847; Sherries of a high character, of various vintages; old London Dock port; Sandeman's, etc.; very fine Malaga; Scotch and Irish whisky, gin and Jamaica rum; Teneriffe, Cruz Santa and Cognac brandies; Seignette and other Champagne wines; various vintages; about 80,000 genuine Imported Havana cigars.

JOSEPH HEGEMAN, Auctioneer.
FRIDAY, JAN. 22, AT 10½ O'CLOCK A. M., at the auction rooms, corner of Willoughby and Tompkins-sts., Brooklyn. Regular weekly sale of household furniture, &c., mahogany secretary and bookcase, walnut library case, painted office bookcase, walnut extension table, sideboard, curled rosewood furniture in brocatel, 1 do. mahogany in lime and gold satin, enameled marble-top chamber furniture, mahogany and walnut bedsteads, hair mattresses, feather beds, sofas, chairs, tables, carpets, stoves, kitchen and other fixtures, mahogany piano, 2 Gilbert and Gainey; also, an oyster stand, counter and fixtures. At 3 o'clock P. M., a lot of fancy work boxes, jewelry, 2 cases stuffed birds, and various other articles.

V. NASH, Auctioneer.
WE DIRECT THE SPECIAL ATTENTION of buyers in want of splendid household furniture, works of art, &c., to the large and extensive variety to be found in the elegant five-story residence No. 81 West 19th-st., to be sold at auction on THURSDAY, Jan. 21, at 10½ o'clock. This sale will afford an excellent opportunity to obtain the most costly description of elegant solid rosewood and mahogany furniture, at prices corresponding with the times. We advise all those in want to take advantage of the present opportunity and purchase their supply. For full particulars of this great sale, see Herald.

JOHN E. VAN ANTWERP, Auctioneer.
AUCTION NOTICE.—ASSIGNEES' SALE—STOCK OF AMERICAN HARDWARE.—JOHN E. VAN ANTWERP will sell, on THURSDAY, 21st, at 10 o'clock, at No. 318 Pearl-st., (by order of the assignees,) the entire stock of a wholesale American hardware, cutlery and heavy goods. For particulars, see Courier and Enquirer. Also, to pay advances, 1 case round cast steel, 1 Holmes & Butler iron safe, large size; 4 cases guns and pistols, 50 dozen grain scythes, 1,500 pounds rolled plate iron, 10 casks planters' hoes. Catalogues now ready. Terms cash; city funds.

R. H. LUDLOW, Auctioneer.
PUBLIC NOTICE IS HEREBY GIVEN THAT on Jan. 25, 1858, will be sold at auction, at the Merchants' Exchange, in the City of New-York, at 12 o'clock M., by R. H. LUDLOW, Auctioneer, all those five certain lots with the unfinished houses thereon, situated on the northerly side of 34th-st., between 3d and 3d aves., each lot being 20 feet by half the block. The owner of the fee will join in the sale under the foreclosure of the builder's contract, so as to convey all absolute and indefeasible title to the purchaser. For further information apply to T. JAMES GLOVER, No. 133 Nassau-st., New-York.

D. A. HOWE, Auctioneer—Office No. 229 Broadway.
DANBURY, (Conn.) FURNITURE WILL BE SOLD AT AUCTION, on Friday, Jan. 22, at 10½ A. M., from the private residence No. 346 West 23d-st., near 8th-av., all the splendid furniture contained in the house. A newspaper description is impossible. To be appreciated, must be seen. The catalogue now ready contains over 400 lots of superior first-class furniture and a large quantity of elegant decorations, works of art, &c. Sale positive, and no postponement on any account. For full particulars see Friday morning's papers.

H. T. LEDIG, Auctioneer.
WILL BE SOLD, THIS DAY, JAN. 21, AT NO. 116 West 15th-st., near 7th-av., the entire splendid parlor, chamber, dining and kitchen furniture, &c., of a family leaving the City, mahogany sofas, sofa bedsteads, rocking and other chairs, centre tables, pier glasses, paintings, three-ply, tapestry and other carpets, oil-cloths, piano-forte, china, glass and plated ware, mahogany bedsteads, spring, hair and other mattresses, feather beds and bedding, blankets, spreads.

A. C. TUTTLE, Auctioneer, office No. 9 Broad-st.
ASSIGNEE'S SALE OF LATHES, DRILLS, MACHINERY, &c.—A. C. TUTTLE will sell on THURSDAY, 28th inst., at 10 o'clock A. M., at the premises No. 263 Canal-st., up stairs, all the machinery, tools, drills, lathes, shafting, and other property, being the effects of a machinist unfortunate in business, the whole to be sold for cash under the direction of L. S. RIDGWAY, Assignee.

BENJ. DRAPER, Auctioneer.
BY SIMEON DRAPER, OFFICE NO. 46 Broadway, cor. of William.—Regular Auction Sales at the Merchants' Exchange EVERY DAY. Stocks and Bonds bought and sold at private sale. Sale THIS DAY at 12½ o'clock. See Catalogues.

BUSINESS CHANCES.

LUMBER YARD FOR SALE—OR LEASE for an unexpired term of 13 years, of 8 or 11 lots, situated near the North River, with good buildings, sheds, docks, &c. As the location combines many facilities and advantages, with present good patronage, the opportunity is a favorable one for any person wishing to engage in the lumber or other business. For particulars apply to or address LEROY CLARK, foot West 30th-st., New-York.

A NEW HOTEL FOR A GOOD TENANT.—The subscriber has a fine corner down town, east of Broadway, and wish he wants to erect a hotel or lodging house of about 100 rooms, on the European plan, or any other suited to the locality, and wants to find an occupant before the building is put up. Address with name and reference, box No. 317 Jersey City Post-Office.

A RARE CHANCE FOR BUSINESS MEN.—A store of the best stand in Canal-street will be leased on a long term to any responsible party who may be prepared to purchase a stock of dry goods in first-rate condition, at a very low figure, and on favorable terms. Address JAMES A. SPENCER, Broadway Post-Office.

FOR SALE.—A PRIVATE DAY SCHOOL IN THIS City for boys of the most respectable class, which is and has been for many years full, is for sale at a moderate price, the principal wishing to retire from the profession. Address C. E., Box No. 2,780 general Post-Office.

TO GROCERS.—A FAMILY GROCERY, WITH a good stock, in the best store and best street below 20th-st., in 6th-av., for sale, as the owner wish to engage in other business. Apply at once to FRANCIS MORGAN, No. 11 Pine-st.

STEAM ENGINES AND BOILERS FOR SALE—A [illegible] horse power, for use or exchange. Call and see engines, boilers, shafting, &c., at No. 24 [illegible]-st., between Greenwich and Washington-sts. JAMES WYLIE.

SUPERIOR LARD AND TALLOW OILS.—[illegible] Lard Oil, [illegible] Tallow Oil, [illegible] Lard Oil, [illegible] Tallow Oil, [illegible] Lard Oil, [illegible] Tallow Oil, [

THE NEW-YORK CITY.

LOCAL AFFAIRS.

MARINE INTELLIGENCE.

COMMERCIAL AFFAIRS.